



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.10.2020
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.11618 of 2020

and

Crl.M.P.(MD)No.5295 of 2020

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1.V.Ganesan
2.V.Murugan
3.V.Rajamani

... Petitioners/Accused No.1 to 3

Vs.

1.State represented by
The Sub Inspector of Police,
All Women Police Station,
Tallakulam, Madurai District.
Crime No.2 of 2018.

... Respondent/Complainant

2.T.Rajapraha

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to F.I.R., in Crime No.2 of 2018 on the file of the first respondent and quash the same.

For Petitioners: Mr.S.Balasubramanian

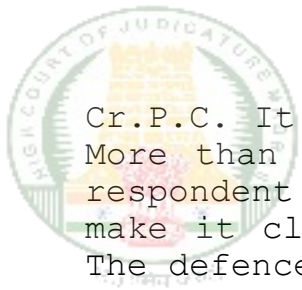
For R1 : Mrs.S.E.Veronica Vincent,
Government Advocate.

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2.The petitioners want this Court to quash the impugned F.I.R., on the file of the first respondent. The second respondent is a defacto complainant. The first petitioner and the second respondent are husband and wife. It is a matrimonial issue. The offences are under Sections 498(A), 294(b), 406, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3.The learned counsel appearing for the petitioners reiterated all the contentions set out in the memorandum of the grounds. To grant relief to the petitioner, I have to necessarily undertake an investigation into facts. Such an exercise is impermissible, while exercising jurisdiction under Section 482



Cr.P.C. It is seen that registration of F.I.R was in the year 2018. More than 2 years and 10 months had gone by. Therefore, the first respondent is directed to file a final report, without any delay. I make it clear that I have not gone into the merits of the matter. The defence of the petitioners are left open.

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4. With direction this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

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/ /2020

Sub Assistant Registrar(CS)

das

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Sub Inspector of Police,
All Women Police Station,
Tallakulam, Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Ganesh Kumar, Advocate sr.20510

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ARK(CO)

NR (02/11/2020) 2P : 4C