



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Crl.O.P. (MD)No.13968 of 2016

and

Crl.M.P. (MD)No.6521 of 2016

1.Baghavathi
2.Pounraj
3.Meenakshi Sundaram ... Petitioners/Accused Nos 1 to 3

-vs-

1.State represented by
The Sub- Inspector of Police,
Nagamalai Pudukottai,
Madurai.
(Crime No.467 of 2015) ...1st Respondent/Complainant

2.Sudhakar ...2nd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records relating to the case in Crime No.467 of 2015, dated 20.07.2015 on the file of the Nagamalai Pudukkottai Police Station, Madurai District and quash the same.

For Petitioners : Mr.R.Suresh Kumar
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)
For R2 : Mr.R.Anand

O R D E R

The petitioners are figuring as accused in Crime No.467 of 2015 registered on the file of Nagamalai Pudukkottai police station for the offences under Section 294(b), 406, 420 and 506(ii) of IPC. To quash the same, this Criminal Original Petition has been filed.

2.The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds. He would also point out that a counter case has been registered at the instance of the first petitioner and the same has also been registered as Crime No.554 of 2015 for the offences under Section 294(b), 506(i) of IPC read with Section 3 and 4 of Tamilnadu Prohibition of Exorbitant Interest Act.



3.The learned counsel appearing for the defacto complainant/R2 produced a typed set of papers.

4.It can be seen there from that betrothal function was held and the third petitioner who is the son of the petitioners 1 and 2 and the daughter of the second respondent were to get married. The betrothal function was held on 15.09.2014.

5.The specific case of the complainant is that after the betrothal function was over, the petitioners herein raised a demand for payment of additional dowry. The second respondent herein is said to have paid a sum of Rs.3 Lakhs. When the petitioners had insisted for payment of further amount in order to clear their liabilities, the second respondent expressed his inability to pay any further amount. The petitioners have offered to give some security. Based on the same, the second respondent received some loan. On the strength of his undertaking, loan was disbursed. The second respondent would claim that the petitioners thereafter backed out of the married proposal. They have also not come forward to clear the loan liabilities. In these circumstances, the second respondent herein had lodged the impugned complaint.

6.I am of the view that having regard to the nature of allegations made against the petitioners, it is a matter for investigation and no case has been made out for quashing the impugned First Information Report.

7.Leaving open the petitioners' defence and contentions, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To

1.The Sub- Inspector of Police, Nagamalai Pudukottai,
Madurai.

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

CrI.O.P. (MD)No.13968 of 2016

AP(01/06/2020) 2P 3C

<https://hcservices.ecourts.gov.in/hcservices/>