



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.7634 of 2016 and

CRL.M.P.(MD)No.3899 of 2016

1. Abdul Razik
2. Abdul Wahab
3. Hajira
4. Gulam

... Petitioners/Accused Nos.1 to 4

Vs.

1. The State rep. By,
The Inspector of Police,
All Women police station,
Keelakkarai,
Ramanathapuram District.
(Crime No.5 of 2016)

... 1st Respondent/
Complainant

2. Hajira

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, praying to call for the records relating to the FIR in Crime No.5 of 2016 on the file of the first respondent police and quash the same as illegal.

For Petitioners	: Mr.Ajmal Khan, Senior Counsel, for M/s.Ajmal Associates.
For R-1	: Mr.A.Robinson, Government Advocate(Crl. Side)
For R-2	: Mr.A.K.Manickam

O R D E R

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

2. The first petitioner and the second respondent got married to each other in the year 2013 and a girl child was also born through the wedlock. Their marital relationship suffered a break down. The first petitioner has employed in Bahrain as



police constable and now he is a driver. Petitioners 2 and 3 are the parents-in-law of the defacto complainant. The fourth petitioner is the brother-in-law of the first petitioner.

3. At the instance of the defacto complainant, Crime No.5 of 2016 was registered on the file of All Women police station, Keelakarai, Ramanathapuram District, for the offences under Section 498(A) of I.P.C. and Section 4 of Dowry Prohibition Act. To quash the same, the criminal original petition has been filed.

4. The learned senior counsel appearing for the petitioners states that as directed by this Court, the petitioners have deposited a sum of Rs.5,00,000/- to the credit of the crime number and the same has also been withdrawn by the defacto complainant. The petitioners are ready to settle the dues by paying a sum of Rs.10,00,000/-. But then, this offer is not accepted by the second respondent. On going through the materials on records, this Court is inclined to quash the impugned First Information Report as far as the fourth petitioner is concerned. But then, the learned Government Advocate(Crl. Side) drew my attention to an order dated 24.10.2019 made in Crl.O.P.(MD)No.6749 of 2018 which was filed by the fourth petitioner. It appears that the fourth petitioner Gulam had also filed a quash petition against the very same impugned First Information Report. The same was dismissed on 24.10.2019. Hence, I do not want to probe the matter further.

5. Leaving open all the contentions and the defences of the petitioners, the criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

1. The Inspector of Police,
All Women police station,
Keelakkarai,
Ramanathapuram District.



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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-4470[F] dated
03/02/2020)

+1 CC to MR.A.K.MANICKAM, Advocate (SR-4278[F] dated 31/01/2020)

Crl.O.P.(MD)No.7634 of 2016
30.01.2020

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