

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 11.02.2020****CORAM:****THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA**

**Crl.O.P. (MD) .No. 22465 of 2018**  
**and Crl.M.P. (MD) No. 10543 of 2018**

1. K. Panneerselvam  
2. Dr. Mithili ... Petitioners/A2 & A3

Vs.

1. The State  
Rep. by the Inspector of Police,  
All Women Police Station,  
Melur, Madurai District. ... R-1/Complainant

2. Hamsini ... R-2/Defacto complainant

**PRAYER:** This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to Crime No.21/2018 pending on the file of the 1st respondent police and quash the same.

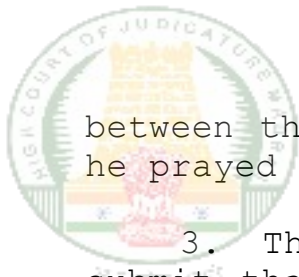
For Petitioners : Mr.P. Thilakkumar  
For R-1 : Mrs.S.Bharathi,  
Government Advocate (crl. Side)

For R-2 : Mr. Kasinathadurai

**O R D E R**

The Criminal Original Petition has been filed to quash the FIR in Crime No. 21 of 2018 on the file of the first respondent police as against the petitioners for the offences under Sections 323, 498(A) of IPC and Section 4 of Dowry Prohibition Act and 4 of Tamilnadu Prohibition of Harassment of Women Act.

2. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offences as alleged in the impugned FIR. Without any base, the first respondent police registered a case as against the petitioner in Crime No. 21 of 2018 for the offences under Sections 323, 498(A) of IPC and Section 4 of Dowry Prohibition Act and 4 of Tamilnadu Prohibition of Harassment of Women Act. Due to land marriage



between the parties, the impugned FIR has been registered. Hence he prayed to quash the same.

3. The learned Government Advocate (criminal side) would submit that the investigation is still pending and this petition is a premature stage and hence, he prayed for dismissal of this petition.

4. Perused the materials available on record.

5. It is seen from the First Information Report that there are specific allegation as against the petitioner, which has to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in the threshold. This Court finds that the FIR discloses prima facie commission of cognizable offence and as such this Court cannot interfere with the investigation. The investigating machinery has to step in to investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

6. In view of the above, this Court is not inclined to quash the FIR. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. However, the first respondent is directed to complete the investigation and file a final report within a period of **Three Months** from the date of receipt of copy of this Order, before the jurisdictional Magistrate. However, liberty is granted to the petitioner to challenge the final report, if grounds are made out.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

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



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

WEB COPY

+1 CC to M/s.G.KASINATHA DURAI, Advocate ( SR-5861[F] dated  
12/02/2020 )

+3 CC to M/s.P.THILAKKUMAR, Advocate ( SR-6258[F] dated 13/02/2020  
)

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**11.02.2020**

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