

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.6767 of 2021 &
Crl.MP.Nos.4131 & 4488 of 2021

1.Dhanalakshmi
2.Backiyam
3.Nesamani ... Petitioners

Versus

1.The State represented by its,
Inspector of Police,
Ammamet Police Station,
Salem City.
(Crime No.8 of 2020)
2.Hamritham ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned FIR in Crime No.8 of 2020 dated 17.03.2020 on the file of the first respondent police and quash the same.

For Petitioner : Mr.E.C.Ramesh

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The petitioners who are the accused in Crime No.8 of 2020 for the offences punishable under Section 498A of IPC and Section 4 of Dowry Prohibition Act, 1961 have filed this quash petition.

2. It is found that the dispute between the petitioners and the defacto complainant is a matrimonial dispute and the investigation in this case has just commenced. Further, the points raised by the petitioners in the grounds are to be looked into only during the investigation by the first respondent police. The offences alleged against the petitioners would be covered under Section 41A of the Cr.P.C. In view of the same,

the respondent police has to issue notice under Section 41(A) of Cr.P.C., to the petitioners. The petitioners are directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein.

3.In the result, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Ammamet Police Station,
Salem City.
- 2.The Public Prosecutor,
Madras High Court,
Chennai.

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