

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR
Crl.O.P No.7243 of 2021

Mr.Dineshkumar

... Petitioner

vs.

1.The State represented by
The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal,
Thiruvallur District.

2.B.L.Padma ... Respondents
(Crime No.93/2021)

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR vide Crime No.93 of 2021 pending investigation on the file of the first respondent herein.

For Petitioner : Mr.B.Ramar
For R1 : Mr.C.Raghavan
Government Advocate (Crl. Side)

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O R D E R

This Criminal Original Petition has been filed to call for the records and quash the FIR vide Crime No.93 of 2021 pending investigation on the file of the first respondent herein.

2.The petitioner is an accused in Crime No.53 of 2021 for offence under Sections 294(b), 323 and 506(i) IPC has filed this quash petition.

3.The defacto complainant is the second respondent who is none other than the mother of the petitioner. The petitioner had assaulted the defacto complainant on 18.03.2020, since the second respondent had started a business and she had availed loan by pledging a property settled by her father, for which the concerned persons had come for inspection of the property. The petitioner taking advantage of the same abused his mother and assaulted her in front of others. The above said property was settled by the father of the second respondent and the maternal grand father of the petitioner in favour of the second respondent. After receiving the property, the second

respondent is not taking care of her father and hence, he has lodged a complaint, which is pending. By then, on 03.02.2020, the petitioner's grand father has sent a petition to the District Collector, Chennai for cancellation of the Settlement Deed executed by him in favour of his daughter. Subsequently, the second respondent had availed loan from the Tamil Nadu Mercantile Bank by way of pledging the settled property. Hence, there is some dispute between the petitioner and the second respondent.

4.The learned Government Advocate (Criminal Side) appearing for the first respondent submitted that in this case the petitioner used abusive language and assaulted his mother in front of others. Investigation in this matter is pending.

5.Considering the submissions of the petitioner and upon perusal of the materials, it is found that investigation in this matter is just commenced and it is for the investigating agency to find out the veracity of the complaint during investigation. It is also seen that the defacto complainant being a lady and also the mother of the petitioner had been abused and assaulted by the petitioner in front of others. Hence, this Court finds that there is no merit in this petition and this Criminal Original Petition deserves to be dismissed.

6.Accordingly, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal,
Thiruvallur District.

2.The Public Prosecutor,
High Court,
Madras.

Cr1.O.P No.7243 of 2021

UM(CO)
A.SK(07.07.2021)