



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14024 of 2021
and Crl.M.P.No.7654 of 2021

1.K.S.Sindhu
2.K.Selvaraju

... Petitioners

Vs.

1.The State Rep. by
The Inspector of Police,
Nallur Police Station,
Crime No.1488 of 2020,
Tiruppur City,
Tiruppur District.

2.K.Pavitharan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned First Information Report in Crime No.1488 of 2020 on the file of the 1st respondent police, quash the same by allowing this Criminal Original Petition.

For Petitioners : N.Manoharan
For R1 : Mr.A.Damodaran
Government Advocate (Crl. Side)

For R2 : Mr.K.Priyavarshini for Mr.V.Vignesh

O R D E R

This Criminal Original Petition is filed to call for the records relating to the impugned First Information Report in Crime No.1488 of 2020 on the file of the 1st respondent police, quash the same by allowing this Criminal Original Petition.

2.The contention of the petitioners is that the defacto complainant is none other than the husband of the first petitioner and son-in-law of the second petitioner. Due to the misunderstanding in the family, the defacto complainant had lodged a complaint and there has been a matrimonial dispute pending between them.



WEB C

3.The learned Government Advocate [Cr1. Side] submitted that in this case investigation has been completed and charge sheet has been filed in Crime No.1488 of 2020 for the offence under Sections 416, 419 r/w 34 and 66 (D) of the Information Technology Act before the Judicial Magistrate No.IV (FAC), Tiruppur. The final report pertaining to the Crime No.1488 of 2020 was originally filed before the E-Court by the respondent police on 16.08.2021 and not filed on 26.07.2021. Thereafter the Judicial Magistrate No.IV (FAC), Tiruppur had received the final report on 17.08.2021 and the same is pending for scrutiny and numbering.

4.The learned Government Advocate [Cr1. Side] further submitted that he had already directed the Commissioner of Police, Tiruppur City to see to that the charge sheet had filed properly before the concerned Court and the same was taken on file without delay. The respondent police had followed up of the filing of the charge sheet.

5.The learned counsel appearing for the petitioners submitted that the steps are taken to resolve the issue between the first petitioner and the defacto complainant and now it is pending before the mediation. He further submitted that all earnest steps to be taken to resolve the issue between the first petitioner and the defacto complainant within a period of two to three weeks.

6.In view of the charge sheet being filed, this Court is not inclined to entertain this quash petition.

7.Considering the same, the trial court is directed to give accommodation to facilitate a compromise between the petitioners and the defacto complainant.

8.In view of the above, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

ah



To

- 1.The Judicial Magistrate, IV,FAC, Tiruppur.
- 2.-do- through Chief Judicial Magistrate, Tiruppur.
- 3.The Commissioner of Police, Tiruppur City.
- 4.The Inspector of Police,
Nallur Police Station,
Crime No.1488 of 2020,
Tiruppur City,
Tiruppur District.
- 5.The Public Prosecutor,
High Court, Madras.

+1CC to M/s.N.Manokaran, Advocate, SR.No. 43821

Cr1.O.P.No.14024 of 2021

PA(CO)
B.VC (01/10/2021)