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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.24161 OF 2018

AND

CRL.M.P.NO.13661 OF 2018

1. Renugadevi
2. Paulraj
3. Sathya Swambigha

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by the Inspector of Police,
Veerapandi Police Station,
Tiruppur City.

2. L.Pradeep

... Respondents

PRAYER:-

Petition filed under Section 482 of Cr.P.C., seeking to call for the records pertaining to Crime No.215 of 2017 on the file of Inspector of Police, Veerapandi Police Station, Tiruppur City, quash the same.

For Petitioners : M/s.R.Madhu Bala
For M/s.A.Saravanan

For Respondents : Mr.A.Gopinath for R1
Government Advocate (Criminal Side)

Mr.K.C.Karl Marx for R2

O R D E R

This petition has been filed seeking to call for the records pertaining to Crime No.215 of 2017 on the file of the Inspector of Police, Veerapandi Police Station, Tiruppur City and to quash the same.



2. The learned counsel appearing for the petitioners submitted that the second respondent is the husband of the third petitioner and the third petitioner is the daughter of the petitioners 1 and 2. Both the petitioners family and the second respondent family created problem and thereby the case was registered against both the families; as against the second respondent as 'A' party and as against the petitioners as 'B' party.

3. The learned counsel appearing for the petitioners further submitted that the marriage between the third petitioner and the second respondent is an arranged marriage. The second respondent filed H.M.O.P.No.175 of 2017 under Section 13(1)(i), (ia) of Hindu Marriage Act before the learned Subordinate Judge, Tiruppur, seeking divorce making scandalous allegations. Hence the petitioners family went to the second respondent's house and some un-toward incident happened and the case in Crime No.215 of 2017 for the offence under Section 160 of IPC came to be registered as against the petitioners. Challenging the same, the petitioners have filed this petition. The complaint made by the second petitioner before the first respondent police was assigned CSR No.83 of 2018.

4. The learned counsel appearing for the petitioners further submitted that it is purely matrimonial dispute and the problem was later solved, however, the law enforcing agency registered case as against the petitioners as well as against the second respondent. The learned counsel further submitted that the punishment for the offence Section 160 of IPC is a meagre punishment and hence, registration of the case is un-sustainable one.

5. The learned Government Advocate appearing for the first respondent as well as the learned counsel appearing for the second respondent has no serious objection in quashing the FIR in Crime No.215 of 2017. The learned counsel appearing for the second respondent further prayed that since this is only a matrimonial dispute the complaint lodged by the second petitioner in CSR No.83 of 2018 before the first respondent may also be quashed, for which, the learned counsel appearing for the petitioners raise no serious objection.

6. Perusal of records disclose that the incident happened in the second respondent's house and this is purely a matrimonial dispute. Hence, considering the submissions made on either side, I have no hesitation to quash the case in Crime No.215 of 2017 as well as the complaint in CSR No.83 of 2018. Accordingly, the case in Crime No.215 of 2017 as well as the complaint in CSR No.83 of 2018 before the first respondent are quashed.



7. This criminal original petition is accordingly allowed. Consequently, the connected miscellaneous petition is also closed.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Veerapandi Police Station,
Tiruppur City.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to M/s.A.Saravanan, Advocate, S.R.No.34375

CRL.O.P.NO.24161 OF 2018 AND
CRL.M.P.NO.13661 OF 2018

PMK(CO)
PBS/03/08/2021