



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD)No.8958 of 2021

and

Crl.M.P. (MD)No.4579 of 2021

S.Ramya

... Petitioner/2nd Accused

Vs.

1. The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy.
(Cr.No.1 of 2021)

2. V.Ganesh Kumar

... Respondents/complainant/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the impugned First Information Report in Crime No.1 of 2021 on the file of the respondent Police and quash the same in respect of the petitioner as illegal and devoid of merits.

For Petitioner

: Mr.T.A.Punithan

For R-1

: Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition is filed seeking quashment of FIR in Cr.No.1 of 2021 pending on the file of the first respondent herein.

2. The petitioner is the second accused in the above said case and the second respondent is the defacto complainant. Both are husband and wife.

3. The learned counsel appearing for the petitioner submits that there is a matrimonial dispute between the petitioner and the defacto complainant and now, they are living separately. Due to the matrimonial dispute, a case and counter case have been registered. This is the counter case, which has been falsely registered against the petitioner.

4. The learned Additional Public Prosecutor submits that investigation was completed and final report has also been filed

<https://hcservices.courts.gov.in/hcservices>



before the learned Judicial Magistrate, Mahila Court, Trichy, on 17.06.2021 and it is not taken on file so far.

5. Since the final report has been filed before the concerned Court, nothing survives in this petition for consideration or for direction. It is open to the petitioner to work out his remedy before the appropriate Forum by appropriate proceedings.

6. At this juncture, the learned counsel for the petitioner requests that a direction may be issued to the learned Judicial Magistrate, Mahila Court, Trichy, to expedite the process of taking the final report on file.

7. Considering the request made by the learned counsel for the petitioner, there shall be a direction to the learned Judicial Magistrate, Mahila Court, Trichy, to process the final report filed by the first respondent and take on file as per the law and dispose of the same on merits and in accordance with law, within a period of six months from the date of taking cognizance. The petitioner shall co-operate with the trial.

8. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The learned Judicial Magistrate,
Mahila Court, Trichy,
2. The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy.



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

Copy to

The section officer,
criminal section,
Madurai Bench of Madras High Court, Madurai.

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08.07.2021

RD (14.07.2021) 3p 5c