



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19192 of 2021

and

Crl.M.P.(MD)No.10689 of 2021

- 1.Ponnusamy
- 2.Lakshmi
- 3.Jeyaganesh @ Jeyaganesan
- 4.Malairasu

... Petitioners/ Accused No.2 to 4

Vs.

- 1.State rep. by
The Inspector of Police,
All Women Police Station,
Paramkudi,
Ramanathapuram District.
(In Crime No.12 of 2021)

... 1st Respondent/ Complainant

- 2.Rokini

... 2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.12 of 2021 on the file of the 1st respondent and quash the same as illegal against the petitioners.

For Petitioners : Mr.D.Senthil
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.

O R D E R

This criminal original petition has been filed to quash the impugned FIR in Crime No.12 of 2021 registered on the file of the first respondent.

2.The case involves among other offences Section 498(A) of IPC. The second respondent herein is the wife of the first accused. In matrimonial cases, contentious facts would be involved in the very nature of things. In exercise of jurisdiction under Section 482 of CrPC, it will not be possible for this Court to undertake a factual probe. Only if it can be shown that there is absolutely no material or allegation against the petitioners, it would be possible to grant



the relief of quashing. Even that would only be possible after the final report is filed. At the stage of FIR, it is not possible for this Court to intervene in favour of the petitioners.

3. Leaving open all the contentions and defences of the petitioners, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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 Inspector of Police,
All Women Police Station,
Paramkudi,
Ramanathapuram District.
2. The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.19192 of 2021
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RD(21.12.2021) 2P 3C