



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.16418 of 2021 and

CRL.M.P.(MD)No.8848 of 2021

WEB COPY

1. Raja Mohammed
 2. Mohammed Ibrahim
 3. Pasira Begam
- ... Petitioners / Accused Nos.1 to 3

Vs.

1. State rep. By,
The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.
(Crime No.7 of 2021) ... 1st Respondent / Complainant
2. Majeetha Nijam ... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in pursuant to the First Information Report in Crime No.7 of 2021 on the file of the Inspector of Police, All Women police station, Uthamapalayam, Theni District, dated 15.06.2021 and quash the same.

For Petitioners : Mr.S.Sundarapandian

For R-1 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

For R-2 : Mr.S.Thirupathy

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the First Information Report in Crime No.7 of 2021 registered on the file of the first respondent for the offences under Sections 498(A), 323, 354, 406 and 506(i) of I.P.C.

3. The second respondent is the defacto complainant. While the petitioners would contend that the marriage between the first petitioner and the defacto complainant was dissolved as per Muslim Law as early as in February 2018, the defacto complainant would



state that the signatures were obtained under coercive circumstances. Since contentious facts are involved, it may not be proper for this court to go into the same in exercise of jurisdiction under Section 482 of Cr.P.C.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Uthamapalayam,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.16418 of 2021

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RK(20/12/2021) 2P 3C