



WEB COPY

CrI.O.P.(MD)No.18393 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD) No.18393 of 2021

and

CrI.M.P. (MD) No.10112 of 2021

1.Chelladurai

2.Amutha

3.Indhumathi

4.Sankareswaran

5.Muthulakshmi

6.Saravanan ... 1 to 6 Petitioners / Accused Nos.2 to 7

Vs

1.The State rep. by
Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District. ... 1st Respondent / Complainant

2.Parkavi ... 2nd Respondent / Defacto complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to quash the FIR in Crime No.33 of 2021 dated 08.09.2021 on the file of the first respondent police.

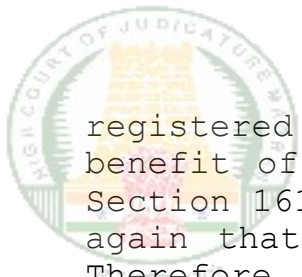
For Petitioners : Mr.S.Sarvagan Prabhu
For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioners.

2. This Criminal Original Petition has been filed to quash the impugned FIR in Crime No.33 of 2021 registered on the file of the first respondent. The second respondent is the defacto complainant. The case has been registered for the offences under Sections 498(A), 406, 294(b), 506(2) of IPC and Sections 4 and 6 of Dowry Prohibition Act, 1961.

3. On going through the contents of the FIR, I find that all the petitioners have been individually named. FIR itself was
<https://hcservices.ecourts.gov.in/hcservices/>



registered only as recently as on 08.09.2021. I do not have the benefit of the statement of the defacto complainant recorded under Section 161 of Cr.P.C. The Hon'ble Supreme Court has held time and again that investigation cannot be scuttled at the initial stage. Therefore, leaving open the petitioner's defences and contentions, this criminal original petition is dismissed. I make it clear that it will be open to the petitioners to move this Court again after the final report is filed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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,
Kanyakumari,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P (MD) No.18393 of 2021
25.11.2021

RD(04.12.2021) 2P 3C