



Crl.O.P.No.22374 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM:

**THE HON'BLE Mr. JUSTICE SUNDER MOHAN**

Crl.O.P.No.22374 of 2018  
and Crl.M.P.No.12396 of 2018

1.P.Kanagaraj

2.K.Neelaveni

... Petitioners

Versus

1.State Rep.by  
The Sub Inspector of Police,  
All Women Police Station,  
Pollachi,  
Coimbatore District.

2.Priya

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.93 of 2018 on the file of Judicial Magistrate No.I, Pollachi.

|                 |   |                                            |
|-----------------|---|--------------------------------------------|
| For Petitioners | : | M/s.C.S.Dhanasekaran                       |
| For R1          | : | S.Balaji<br>Government Advocate (Crl Side) |
| For R2          | : | No Appearance                              |



**ORDER**

The quash petition has been filed by the Father-in-law and Mother-in-law of the defacto complainant praying for quashing of the Final Report for the offence under Sections 34, 109, 120(b), 406, 494, 498 (A) IPC in C.C.No.93 of 2018.

2.Admittedly, the allegations in the Final Report are that the petitioners instigated the husband of the defacto complainant to commit cruelty on her and demand dowry. The husband namely the son committed bigamy.

3.The learned counsel for the petitioner submitted that the allegations against the petitioners are false. A Matrimonial dispute between the petitioner's son and the defacto complainant is sought to be given a criminal colour. The defacto complainant has lodged this complaint only to wreak vengeance.

4.We find that the points raised by the learned counsel for the petitioner are factual in nature and the same can be adjudicated only in a trial. Hence, this court is not inclined to go into the merits of the contentions raised. Needless to say it is open to the petitioners to raise all the contentions before the trial Court.

5.The learned Judicial Magistrate No.1, Pollachi is directed to complete



Crl.O.P.No.22374 of 2018

the trial as expeditiously as possible and in any event within a period of six (6) months from the date of receipt of copy of this order.

6.Since the petitioners are senior citizens, the appearance of the petitioners before the learned Judicial Magistrate No.I Pollachi, is dispensed with, unless the learned Judicial Magistrate requires their presence for any particular hearing including for charge framing, questioning under Section 313, Cr.P.C., and Judgment.

7.The Criminal Original Petition is dismissed with the above observations. Consequently, the connected miscellaneous petition is closed.

**18.11.2022**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non Speaking Order  
dk

**SUNDER MOHAN, J.**



Crl.O.P.No.22374 of 2018

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WEB COPY

To

1.The Public Prosecutor  
High Court of Madras  
Chennai – 600 104.

2.The Sub Inspector of Police,  
All Women Police Station,  
Pollachi,  
Coimbatore District.

Crl.O.P.No.22374 of 2018  
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