



WEB COPY



CrI.O.P.No.11235 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

CRL.O.P.No.11235 of 2022  
and CrI.M.P.No.6462 of 2022

1.JUDE DOMNIC SAVIO  
2.CATHERIN

... Petitioners

Vs.

z.The State  
Rep. by the Sub Inspector of Police  
W9 – Villivakkam – All Women Police Station  
Chennai 600 049  
(Cr. No.10 of 2021)

2.Reginsangeetha

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.10 of 2021 pending on the file of the Inspector of Police, All Women's Police Station, Villivakkam and quash the same.

For Petitioners : Mr.L.Muralikrishnan

For Respondents : Mr.A.Gokulakrishnan  
Additional Public Prosecutor for R1



CrI.O.P.No.11235 of 2022

Mr.M.Mohanasundaram for R2

**ORDER**

This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.10 of 2021, for the offence u/s.498(A) and 506(2) I.P.C. pending on the file of the Inspector of Police, All Women's Police Station, Villivakkam and quash the same.

2.The main contention of the learned counsel for the petitioners is that, though there are some allegations against the 1<sup>st</sup> petitioner / A1, the 2<sup>nd</sup> petitioner viz. mother-in-law has been roped unnecessarily except the general allegation that she has not prevented her son and also asked the defacto complainant to go out of the house, no other allegations are found against the 2<sup>nd</sup> petitioner in the F.I.R..

3.Learned counsel for the 2<sup>nd</sup> respondent submitted that as far as the 1<sup>st</sup> petitioner / A1 is concerned, there are serious allegations and he added that the petitioners would be called only for investigation.

4.Heard Mr.L.Muralikrishnan, the learned counsel for the



Crl.O.P.No.11235 of 2022

WEB COPY

petitioners, Mr.A.Gokulakrishnan, the learned Additional Public Prosecutor for the respondent police and Mr.M.Mohanasundaram, the learned counsel appearing for the 2<sup>nd</sup> respondent.

5.Normally, this Court will not interfere with the quashing of F.I.R. during the pendency of the investigation, unless there are serious allegations. At the same time, when the very F.I.R. itself is registered without any basis against the in-laws and they are being roped unnecessarily due to matrimonial dispute, the Court can very well quash such F.I.R.

6.A perusal of the F.I.R. shows the allegations only against the husband / 1<sup>st</sup> petitioner herein and except the sentence that the mother-in-law asked the defacto complainant to go out of the house, no other allegations are made out against the 2<sup>nd</sup> petitioner to conduct investigation in this aspect.

7.In such view of the matter, continuing the F.I.R. against the 2<sup>nd</sup>



CrI.O.P.No.11235 of 2022

WEB COPY

petitioner is nothing but mere an abuse of process of law. Accordingly F.I.R. in Crime No.10 of 2021, registered for the offence u/s.498 (A) and 506(2) I.P.C. as against the 2<sup>nd</sup> petitioner, on the file of the 1<sup>st</sup> respondent police is hereby quashed. The F.I.R. in Crime No.10 of 2021 shall continue as against the 1<sup>st</sup> petitioner / A1.

8.In the result, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

01.07.2022

kas

Index: Yes / No

Internet : Yes / No

Speaking / Non Speaking order



Crl.O.P.No.11235 of 2022

To.  
WEB COPY

1.The Sub Inspector of Police  
W9 – Villivakkam – All Women Police Station  
Chennai 600 049

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



WEB COPY



Crl.O.P.No.11235 of 2022

N.SATHISH KUMAR, J.  
kas

CRL.O.P.No.11235 of 2022  
and Crl.M.P.No.6462 of 2022

01.07.2022