



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.877 of 2022

and

Crl.M.P. (MD)No.609 of 2022

WEB COPY

1.Chandra

2.Palani

3.Tamilarasan

4.Malaisamy

5.Baskaran

6.Anandhan @ Anandh

... Petitioners/Accused 1 to 6

vs.

1.The State rep. by

The Sub Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
(Crime No.1412 of 2021)

... 1st Respondent/Complainant

2.Muthu Irulayee

... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the FIR in Crime No.1412 of 2021 on the file of the first respondent police.

For Petitioners : Mr.A.John Vincent
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.)

O R D E R

This Criminal Original Petition has been filed to quash the impugned FIR.

2.The learned counsel appearing for the petitioners reiterated all the contentions set out in the memorandum of grounds.

3.Since contentious facts are involved, inherent powers of this Court cannot be exercised. Here is a case whether the defacto complainant alleges that within the station premises, she was attacked. The petitioner's counsel would assert that such an



incident never took place. According to him, a matrimonial complaint is being given a criminal color. It is not possible for this Court to find out the truth or falsity of the FIR averments. It is for the investigation to unearth the truth. Leaving open the petitioner's defences, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

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 Sub Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.JOHN VINCENT, Advocate (SR-1998[F] dated
21/01/2022)

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MGJ(03.02.2022) 2P 4C