



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.2511 of 2022

and

CRL.M.P. (MD) Nos.1417 & 1882 of 2022

Saravanan

.... Petitioner/Accused No.4

Vs

1. The State represented by
The Inspector of Police,
AWPS-Jeeapuram Police,
Trichy District.
(Crime No.8/2016).

.... Respondent/Complainant

2. Sivasakthi

.... Respondent/Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the entire records in Crime No.8 of 2016 pending on the file of the 1st Respondent Police and quash the same as against the petitioner.

For Petitioners : Mr.M.Pitchai Muthu

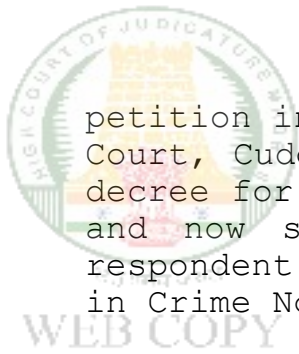
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)
for R1
: Mr.V.Vani Sujatha .for R2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.8 of 2016 pending on the file of the first Respondent Police.

2.The first accused and the second respondent are husband and wife. The second respondent got married the first accused on 30.06.2014. Thereafter, she was subjected to cruelty, by way of demanding dowry. Hence, the second respondent lodged a complaint before the first respondent and a case has been registered in Crime No.8 of 2016, for the offences punishable under Sections 498(A), 506 (i) IPC r/w Section 4 of Dowry Prohibition Act.

3.The learned counsel for the second respondent would submit <https://hcc.mca.gov.in/hcc/judicial> that after registration of FIR, she got separated and filed divorce



petition in H.M.O.P.No.168 of 2014, on the file of the Principal Sub Court, Cuddalore. It was decreed in her favour and thereby granted decree for divorce. Thereafter, she got married with another person and now she is living happily with him. Therefore, the second respondent does not want further to pursue the complaint registered in Crime No.8 of 2016.

4.That apart, FIR in Crime No.8 of 2016 on the file of the first respondent is pending for the past six years, without any progress. In view of the above facts and circumstances, the pendency of alleged FIR would not serve any purpose and as such it is liable to quashed.

5.Accordingly, this Criminal Original Petition is allowed and the impugned FIR in Crime No.8 of 2016 on the file of the first respondent is hereby quashed, as against all the accused persons therein. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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,
AWPS-Jeeapuram Police,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN

CRL OP(MD). No.2511 of 2022

and

CRL.M.P.(MD) Nos.1417 & 1882 of 2022

Date : 29/03/2022

USK/07.04.2022/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>