



Crl.O.P.No.4392 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:13.12.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.4392 of 2023

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.. Petitioner

/versus/

1.State rep.by
Inspector of Police,
Annur Police Station,
Coimbatore District.

2.Mrs.Radhika

.. Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and to quash the First Information Report in Crime No.762 of 2022 on the file of Annur Police Station, Coimbatore District.

For Petitioner :Mr.M.Saravanakumar

For Respondents :Mr.Leonard Arul Joseph Selvam
Govt.Advocate (Crl.Side) for R1
Mr.S.Arjun for R2



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ORDER

This Criminal Original Petition is filed to quash the First Information Report in Crime No.762 of 2022 on the file of the Annur Police Station, Coimbatore District.

2. According to the petitioner, the defacto complainant, who married him in the year 2017 suppressing her earlier marriage, been keep on giving complaint after complaint making false allegation and they were enquired and closed. While so, the present complaint is filed ,as if CCTV camera were kept in the house and private images of the defacto complainant were captured and she had been put to mental and physical cruelty and also intimidated, which is not factually correct. Therefore, the First Information Report has to be quashed.

3. The learned Government Advocate (Crl.Side) filed a Status Report stating that there is enough material to proceed against the petitioner herein and the same has been collected during the investigation and final



report is ready and it is likely to be filed within a week.

4. The learned counsel appearing for the defacto complainant submitted that CCTV footage has been collected during the course of investigation which speaks volumn about the conduct of the petitioner. Hence, this case is not fit to quash the First Information Report.

5. After considering the submissions, this Court is of the view that when there is *prima facie* material available through investigation to make out cognizable offence, the Court shall not interfere with the investigation. It is a case where the investigation has been done and final report to be filed based on the material collected in the course of investigation. After filing of the final report, if the petitioner feels that there is no material to charge against him, it is open to the petitioner to seek appropriate remedy before the Court concerned in the manner known to law.



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6. Accordingly, this Criminal Original Petition is disposed of.

13.12.2023

Index:yes/no

Netural Citation:yes/no

Speaking order/Non speaking order
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To:

1.Inspector of Police,
Annur Police Station,
Coimbatore District.

2.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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