



WEB COPY



1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5645 of 2022
and Crl.MP.No.3121 of 2022

1.Akhilan, M/38
S/o.Thalamuthu

2.Thalamuthu, M/778
S/o.Arunjunai

3.Vanitha, F/73
W/o.Thalamuthu

4.Muhil Bala, F/45
D/o.Thalamuthu

5.Ezhil Rathinam, F/50
D/o.Thalamuthu

.. Petitioners/Accused

.Vs.

1.State rep.by
The Inspector of Police
W-8, AWPS Thirumangalam Police Station
Chennai-600 028.

..Respondent/Complainant

(Crime No.10/2021)

2.Suganya, F/34
W/o.Akhilan

..Respondent/de facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.10 of 2021, pending on the file of the 1st respondent pending disposal of this criminal original petition.



2 of 4

For Petitioners : Mr.C.Prabhu

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1

ORDER

This criminal original petition has been filed to quash the FIR in Crime No.10 of 2021, pending investigation on the file of the 1st respondent.

2.Heard Mr.C.Prabhu, learned counsel for the petitioners, Mr.A.Gopinath, learned Government Advocate (Crl. Side) for R1 and Mr.S.Saravana Kumar, learned counsel for R2.

3.On carefully reading the FIR, it is seen that most of the allegations have been directed only as against the 1st petitioner (A1), who is the husband of the 2nd respondent. This is a case where the marriage had taken place on 05.08.2016 and the dispute between the parties had started immediately thereafter. This Court finds that only omnibus allegations have been made against the petitioners 2 to 5, who are the in-laws and hence, the continuation of the investigation as against them will amount to an abuse of process of law. There are sufficient allegations made in the complaint to proceed further with the investigation as against A1.

4.In view of the above, without touching upon the merits of the case and without rendering any finding on submission made on facts, this Court is inclined to



3 of 4

respondent insofar as petitioners 2 to 5 are concerned. Accordingly, the FIR will stand quashed with respect to these petitioners (A2 to A5). There shall be a direction to the 1st respondent to proceed further with the investigation as against the 1st petitioner (A1) and the investigation shall be completed and the final report shall be filed before the concerned jurisdictional Court within a period of three months from the date of receipt of copy of the order.

5.This criminal original petition is disposed of in the above terms. Consequently, connected miscellaneous petition is closed.

04.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp

To

1.The Inspector of Police
W-8, AWPS Thirumangalam Police Station
Chennai-600 028.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



4 of 4

N. ANAND VENKATESH,, J.

kp

Crl.O.P No.5645 of 2022

04.9.2023