



WEB COPY



Crl.O.P.No.7422 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7422 of 2023 and
Crl.M.P.No.4707 of 2023

1.K.Sathishkumar

2.Kathervel

3.Lakshmi

4.Vinothini ... Petitioners

Vs

1.State represented by its Inspector of Police,
All Women Police Station,
Tiruttani,
Thiruvallur District.

2.C.Sathiya ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records of the F.I.R. in Crime No.4 of 2023 on the file of the first respondent and to quash the same.

For Petitioner : Mr.S.P.Sudalaiyandi



WEB COPY



Crl.O.P.No.7422 of 2023

For Respondent : Mr.S.Santhosh (For R1)
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to call for the records of the F.I.R. in Crime No.4 of 2023 on the file of the first respondent and to quash the same.

2.The learned counsel for the petitioners submitted that the allegations made against the petitioners in the First Information Report are totally false. For incident that happened in 2022, complaint was given only on 02.02.2023. The truth of matter is that the defacto-complainant has illicit relationship with parthi.. They had frequent chat through whatsapp. In support of his submission, he also produced the photographs of said whatsapp conversation.

3.The learned Government Advocate (Criminal side) submitted that First Information Report in this case was registered only on 02.02.2023 and investigation in this case is pending. If the petitioners produced the materials in support of this case to the investigating officer, that would be



processed and appropriate final report would be filed.

WEB COPY

4.Considered the rival submissions and perused the records.

5.The First Information Report allegations show that the marriage between the second respondent and first petitioner had taken place on 01.11.2019. It is alleged that at the time of marriage, a sum of Rs.7 lakhs, 47 soverigns of gold Jewels along with other seer articles were provided to the defacto-complainant. A male child was born on 26.09.2020. Thereafter, the accused in this case demanded additional jeweleries and cash and scolded her in filthy language. Her husband and his family members used to beat her. On 31.08.2022, her husband threatened her at the knife point and asked her to sign in Rs.20 bond paper stating that the defacto-complainant and her son had no claim in his property and obtained sign in bond paper. Her husband has illicit relationship with one Poornima and beat defacto-complainant on daily basis. Therefore, on the basis of the complaint, First Information Report in Cr.No.4 of 2023 for the offences under section 498 (A), 294 (b), 323 and 506 (i) I.P.C. and Section 4 of TN



Crl.O.P.No.7422 of 2023

Prohibition of Harassment of Women Act, 2002, came to be registered.

WEB COPY

6.The allegations made in the F.I.R. clearly make out the commission of cognizable offence by the petitioners. This case requires investigation by the respondent police. It is open to the petitioners to produce materials in their possession in support of allegation that defacto-complainant had illicit relationship with one Parthi and the complaint allegations are false. The investigating officer is directed to consider the materials produced by the petitioners during the course of investigation and complete the investigation and file appropriate final report in the manner known to law at the earliest possible opportunity.

7.With the above direction and observation, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

05.04.2023



Crl.O.P.No.7422 of 2023

Index: Yes/No
Speaking/Non speaking order

WEB COPY

ep

To

1. Inspector of Police,
All Women Police Station,
Tiruttani,
Thiruvallur District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.7422 of 2023

G.CHANDRASEKHARAN, J.

ep

Crl.O.P.No.7422 of 2023 and
Crl.M.P.No.4707 of 2023



WEB COPY



CrI.O.P.No.7422 of 2023

05.04.2023