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Crl.O.P.No.18979 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.18979 of 2022
and Crl.M.P.No.12560 of 2022

- 1.Vipin Gopal
- 2.Gopala Krishna Pillai
- 3.Vasantha Pillai
- 4.Vidhya Pillai

... Petitioners

Vs.

- 1.State represented by
The Inspector of Police,
Women Police Station – W28,
Ambattur, M.T.H. Road,
Chennai – 600 053.

- 2.Vinitha Devai

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in FIR No.14 of 2022 pending on the file of the first Respondent and quash the same.

For Petitioners : Mr.K.Venkatasubban
For Respondent : Mr.S.Udaya Kumar
No.1 Government Advocate (Crl.Side)

ORDER

Petition to quash the FIR in crime No.14 of 2022 on the file of the All

Women Police Station, Ambattur.



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2. The petitioners are husband and relatives of the defacto complainant. Marriage between the first petitioner and the defacto complainant was held on 22.12.2019 at Kerala. Due to matrimonial dispute, there was pre-litigation Mediation before the Delhi High Court Mediation and Conciliation Centre but it did not give any result and was closed as 'Non-Starter' vide report dated 05.01.2021. The complaint, which is taken on file by the Ambattur All Women Police Station in FIR No.14 of 2022, is on the allegation of cruelty and intimidation contending that the first petitioner and the defacto complainant lived together only for 45 days and the present complaint with the counter blast to the divorce proceedings initiated by the first petitioner, hence, seeks for quash of the investigation in Crime No.14 of 2022.

3. On perusing the records, this Court does not find that the matter to be quashed without investigation. An aggrieved complainant must be given an opportunity to substantiate her complaint and the accused shall also participate in the investigation and place documents necessary to show her innocence.



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In the light of the above, the criminal original petition is dismissed directing the first respondent to complete the investigation, if not so for completed, within a period of 90 days from the date of receipt of a copy of this order and file final report.

Index : Yes/No
Neutral Citation : Yes/No
sms

18.10.2023

To

- 1.The Inspector of Police,
Women Police Station – W28,
Ambattur, M.T.H. Road, Chennai – 600 053.
- 2.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

sms

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