



WEB COPY

Crl.O.P.No.25716 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25716 of 2023
and
Crl. M.P. No.17841 of 2023

1.Monica

2.Poongodi

3.Manesh

... Petitioners

-VS-

1. The State Rep. by
The Inspector of Police,
V-5, Thirumangalam Police Station,
Anna Nagar, Chennai – 600 040.

2.Mr.Kishorekumar

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.187 of 2023, on the file of the Sub Inspector of Police, V5- Thiurmangalam Police Station, Chenani and quash the same as against the petitioners.

For Petitioners

: Mr.Thomas T Jacob

For Respondents 1

: Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



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ORDER

This petition is filed to quash the FIR registered in Crime No.187 of 2023 on the file of the Sub Inspector of Police, V-5, Thirumangalam Police Station.

2. The learned counsel appearing for the petitioner submitted that on the eve of New Year 2023, due to family dispute, there was a quarrel and the complaint was given by the petitioner to the respondent police. To counter blast the said complaint, the second respondent herein, has given a belated complaint in the month of July ie., 12.07.2023 with imaginary and false contentions which has been taken up for investigation and whereas, the complaint given by the petitioner not acted upon.

3. The learned Government Advocate (Crl.Side) appearing for the State submitted that it is a matrimonial dispute which has escalated to assault and other cognizable offence, the first petitioner herein gave a complaint reporting about the matter, but later during the enquiry, she reported that she will work out her remedy before the Family Court, hence, the respondent police has closed her complaint.

4. Whereas, the second respondent herein had approached the learned XIII Chief Metropolitan Magistrate alleging that police has not registered his complaint and sought for direction under Section 156 (3) of Cr.P.C. in Crl. MP. No.21805 of 2023. Pursuant to the order passed by the learned XIII Chief



Metropolitan Magistrate, the complaint was registered and taken up for investigation and in the course of investigation, the Investigation Officer found that in the public place, the defacto complainant been intimidated and had sustained grievous injury of broken teeth.

5. The learned Government Advocate further submitted that there are enough materials to proceed further against these petitioners and the investigation will be completed within 45 days.

6. Recording the same, the petition is dismissed as devoid of merits. Consequently, connected Miscellaneous Petition is dismissed.

09.11.2023

Internet : Yes/No

Index : Yes/No

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To

1. The XIII Metropolitan Magistrate,
Chennai.

2. The Inspector of Police,
V-5, Thirumangalam Police Station,
Anna Nagar, Chennai – 600 040.

3. The Public Prosecutor,
Madras High Court, Madras.

Dr.G.JAYACHANDRAN, J.



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