



Crl.O.P.(MD)No.12841 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.12841 of 2023
and Crl.M.P(MD).No.10070 of 2023

1.Soundarya
2.Murali
3.Karpagam

... Petitioners

Vs.

1.The Inspector of Police,
All Women Police Station (AWPS)
Manamadurai,
Sivagangai District.
FIR No.8 of 2023.

2.Alagusarathi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with FIR No.8 of 2023 dated 02.04.2023 on the file of the first respondent and quash the same insofar as the petitioners are concerned.



Crl.O.P.(MD)No.12841 of 2023

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R1

ORDER

This Criminal Original Petition has been filed seeking quashment of FIR in Crime No.8 of 2023 dated 02.04.2023 on the file of the first respondent which is registered for the offence punishable under Sections 498(A), 403 and 506(1) of IPC.

2. It is submitted by the learned counsel appearing for the petitioners that the first petitioner and the accused No.1, who is the husband of the defacto complainant, are in live-in relationship and the petitioners 2 and 3 are stated to be the parents of the first petitioner. It is further submitted that since the petitioners 1 to 3 are not the family members of the husband of the defacto complainant, the offence under Section 498A is not applicable.



Crl.O.P.(MD)No.12841 of 2023

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3. The learned Additional Public Prosecutor appearing for the first respondent Police, on the other hand, submits that even on the date of filing of the present petition on 28.06.2023, the first respondent Police have completed the investigation and filed the charge sheet on 18.06.2023 and the same was taken on file in C.C.No.57 of 2023.

4. Since the charge sheet has been filed prior to the filing of the present petition, the petitioners should have challenged the charge sheet and not FIR. Therefore, this Criminal Original Petition is dismissed at this stage by giving an opportunity to the petitioners to challenge the charge sheet, in case they are so advised. Connected miscellaneous petition is closed.

18.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



Crl.O.P.(MD)No.12841 of 2023

To

- 1.The Inspector of Police,
All Women Police Station (AWPS)
Manamadurai,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.12841 of 2023

DR.D.NAGARJUN,J

ssb

Crl.O.P.(MD)No.12841 of 2023

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