



CrI.O.P.(MD) No.15024 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.15024 of 2023

and

CrI.M.P.(MD).No.11898 of 2023

1.Ramanathan

2.Kalavathi

3.Maheswari

... Petitioners

Vs.

1.The State represented by
the Inspector of Police,
AWPS South, Madurai City.
In Crime No.14 of 2023

2.D.S.Keerthana

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the FIR in Crime No.14 of 2023, pending on the file of the first respondent Police and quash the same as illegal insofar as the petitioners are concerned.



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For Petitioners : Mr.B.Vijayaragavan

For R1 : Mr.SS.Madhavan,
Government Advocate (Crl.side)

ORDER

This petition is filed under Section 482 of Cr.P.C. seeking for quashment of FIR in Crime No.14 of 2023 pending on the file of the first respondent against the petitioners 1 to 3, who are arrayed as Accused Nos.2 to 4.

2. It is submitted by learned counsel for the petitioners that the marriage of Accused No.1 with *defacto* complainant has taken place on 19.05.2022 and subsequently, on account of disputes between Accused No.1 and the *defacto* complainant, a complaint has been filed by the *defacto* complainant on 17.03.2023, basing on which, an FIR has been registered in Crime No.14 of 2023, for the offences under Sections 498 (A), 406 and 506 (1) of I.P.C. It is submitted that even gone through the contents of FIR, there are no serious allegations against the petitioners and it is also mentioned specifically that the petitioner No.3 / Accused No.4 has been residing at Tirumangalam after her marriage and she is no way concerned with the allegations levelled against the petitioners.



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3. Learned Government Advocate (Criminal Side), on the other hand, submits that, that there are serious allegations against all the petitioners.

4. The petitioners have challenged the FIR only on the basis of the complaint alleging that there are no allegations, however, even according to petitioners, though there are allegations against the petitioners, but they are not serious in nature. Whether the petitioners are really committed the offence along with Accused No.1 will be a matter of investigation pending before the Police. Unless, there are some technical aspects are apparently on the face of it, the FIR cannot be throated at the initial stage. In case, if this case is allowed to be quashed on the basis of the submissions made by the petitioners during the course of investigation, if evidence may also emerge against the petitioners, therefore, it is not safe to quash the case at this stage of FIR.

5. Considering the discussion made above, this Criminal Original Petition is disposed of, directing the respondent Police to complete the investigation in Crime No.14 of 2023 not later than eight weeks from the date of



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receipt of a copy of this order and in the meanwhile, the respondent Police are directed not to take any coercive steps against the petitioners.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

28.08.2023

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
tsg

To

1.The Inspector of Police,
AWPS South, Madurai City.
In Crime No.14 of 2023

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

tsg

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