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Crl.OP.No.3364 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.3364 of 2024

and

Crl.MP.No.2503 and 2504 of 2024

1. Visweswaran
2. Sivakumar
3. Jothi

... Petitioners

Vs.

- 1.State rep by
The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar,
Chennai – 600 083.
(Cr.No.14 of 2022)

2. G.K.Narasimman
Respondents

...

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, prayed to call for the records pertaining to the impugned charge sheet in CC.No.835 of 2023 on the file of the learned IV Metropolitan Magistrate, Saidapet, Chennai 600 015 and quash the same.

For Petitioner : Mr.S.Panneer Selvan

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



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ORDER

This petition is filed to quash the final report which has culminated in taking cognizance by the learned Metropolitan Magistrate-IV, Saidapet, Chennai in C.C.No.835 of 2023 for the alleged offence under Sections 498A, 420, 406, 506(ii) r/w 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. The petitioners are A1 to A3. The sum and substance of the petition is that it is the matrimonial dispute between the husband and wife. The wife after parted away had also initiated petition for divorce and to wreck vengeance, complaint been filed at the instance of the father-in-law of the first petitioner who happens to be a Inspector of Police (Traffic Investigation).

3. This Court initially directed the concerned Magistrate to keep the proceedings in abeyance since there may be some possibility of settlement through mediation. However, it is now reported that mediation failed. Be that as it may, on perusing the final report, statement of witnesses and the grounds raised to quash the final report, this Court



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finds that the allegation of dowry harassment is not only against the husband, but also his parents, sister and brother-in-law. The present petition to quash is initiated by the husband and his parents.

4. The complaint indicates that even before the marriage there was negotiation regarding demand of dowry in which, these petitioners participated and after receiving the dowry, there has been further demand and also several other allegations regarding the potency of the petitioner are also made and these facts are to be tested in the trial court.

5. The Judgement of Supreme Court relied by the petitioner herein is factually different from the case on hand where there is some material for proceedings against these petitioners. Therefore, this Court dismissed the Criminal Original Petition with direction to the trial court to complete the trial on or before 15.06.2024. Consequently, the connected miscellaneous petitions are closed.

17.04.2024

Vv



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To

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1. The IV Metropolitan Magistrate,
Saidapet, Chennai 600 015
2. The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar,
Chennai – 600 083.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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