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Crl.O.P.No.8111 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8111 of 2024
& Crl.M.P.No.5905 of 2024

1. R.Vasanthi.
2. B.Rajendran.

... Petitioners/Accused Nos.2 & 3

/versus/

1. State Rep. by,
The Inspector of Police,
AWPS, Ambattur, Chennai.
(FIR No.21 of 2023).

... 1st Respondent/Complainant

2. Yogapriya.

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to quash the FIR No.21 of 2023 pending on the file of the 1st respondent, Inspector of Police, All Women Police Station, Ambattur.

For Petitioners : Mr.N.S.Ganesh

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

For R2 : No appearance



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ORDER

This Criminal Original Petition is filed to quash the case registered by the 1st respondent on the complaint given by the 2nd respondent.

2. The petitioners are in-laws of the defacto complainant. Alleging dowry demand and cruelty against the husband and in-laws, the complaint been filed and taken up for investigation. Stating that since the complaint been taken up for investigation after enormous delay of six years, in-laws been falsely implicated and complaint was given with malice, same should not be entertained and must be quashed.

3. The Learned Government Advocate (Crl.Side) for the 1st respondent states that on completion of investigation, the respondent police has filed final report and same been taken on file by Judicial Magistrate-I, Ambattur and assigned with C.C.No.209 of 2024. The parties are summoned to appear before the Magistrate on 19.07.2024 to receive copies and proceed.

4. The Learned Counsel appearing for the petitioner states that so



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far no summons received from the Court and furthermore, even if the final report is filed, the petition to quash the F.I.R can be entertained. On the face of the documents, there is material to proceed against these petitioners. Though, there is no second opinion about the preposition canvassed by the Learned Counsel for the petitioner, this Court is of the view that it is necessary to look into the statement of witnesses collected during the investigation and the documents relied by the prosecution to proceed against these petitioners and to ascertain whether there is any *prima facie* material available to take cognizance of any offence made out against these two petitioners, who claims to be innocent and except being in-laws of the complainant, they have nothing to do with the alleged crime.

5. With the above observation, this Criminal Original Petition is disposed of with liberty to the petitioner herein to approach this Court challenging the final report if so advised. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes/No.

Neutral Citation : Yes/No.

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Dr.G.JAYACHANDRAN, J.

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Copy to:-

1. The Inspector of Police, AWPS, Ambattur, Chennai.
2. The Public Prosecutor, High Court of Madras, Chennai.

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