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Crl.O.P.No.8919 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8919 of 2024

and

Crl.M.P.No.6374 of 2024

Mrs.Sheeba Rani

...Petitioner/
Accused-2

-Vs-

1.State Rep. by
Sub Inspector of Police,
Madipakkam Police Station,
St. Thomas Mount,
Chennai.

...1st Respondent

2.Mrs.Pushpa

...2nd Respondent/
De-facto Complainant

Prayer: Criminal Original Petition has been filed under section 482 of Criminal Procedure Code to call for the records and quash the case in Crime No.79 of 2024 dated 03.03.2024 on the file of the Inspector of Police, Madipakkam Police Station and pass such further orders.

For Petitioner : Mr.D.Alexis Sudhakar

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

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2. The case of the petitioner is that there is no overt act on the part of this petitioner to infer that she abetted the husband of the de-facto complainant to commit suicide and therefore the FIR has to be quashed against her.

3. This Court, on reading the FIR, was unable to find out whether there is any element of abetment in this case. Further, having registered the complaint, the 1st respondent police is duty-bound to complete the investigation after recording the statements of the witnesses and collecting other evidence if there is no material to incriminate the second accused. Naturally, they will not include her in the final report.

4. At this stage, the Court cannot arrive at any conclusion merely based on the FIR, which is not encyclopedia of the offences.



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5. Accordingly, the Criminal Original Petition is dismissed with liberty to the petitioner herein to exercise her remedy after completion of the investigation and file a final report if she agrees. Consequently, connected criminal miscellaneous petition is closed.

12.04.2024

cda

Index : Yes/No

Speaking/Non Speaking order

To

1.The Sub Inspector of Police,
Madipakkam Police Station,
St. Thomas Mount,
Chennai.

2.The Pubic Prosecutor,
High Court of Madras, Chennai.



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DR.G.JAYACHANDRAN,J.

cda

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