



WEB COPY



Crl.O.P.No.14620 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 11.03.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.No.14620 of 2022

and

Crl.M.P.No.8091 of 2022

1.R.Yuvaraj  
2.Sudha  
3.R.Ashok  
4.Samuel

... Petitioners

**Vs.**

1.State Rep. by  
The Inspector of Police,  
Karamadai Police Station,  
Coimbatore.  
Crime No.247 of 2022

2.Steffy Graf

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in connection with Crime No.247 of 2022 pending investigation on the file of the 1<sup>st</sup> respondent police and quash the same.

For Petitioners  
For R1

: Mr.Kingsly Solomon. J

: Mr..S.Vinoth Kumar

Government Advocate (Crl.Side)

For R2

: Mr.Palanivel



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## ORDER

**WEB COPY** This petition has been filed to quash the FIR in Crime No.247 of 2022 pending investigation on the file of the 1<sup>st</sup> respondent police, for the alleged offence under Sections 294(b), 323, 506(ii) of IPC r/w 4 of TNPHW Act, 2002 against the petitioners.

2. When the matter is taken up for hearing today, the defacto complainant and 1<sup>st</sup> petitioner appeared through video conference before this Court.

3. The case of the prosecution is that the 1<sup>st</sup> petitioner and the defacto complainant are husband and wife. The 2<sup>nd</sup> petitioner is the mother-in-law of the defacto complainant and 3<sup>rd</sup> petitioner is brother of A1 and 4<sup>th</sup> petitioner is the nephew of the 1<sup>st</sup> petitioner. The marriage of the 1<sup>st</sup> petitioner and the defacto complainant was solemnized on 22.02.2020 at IPA Church, Ganapathy, Coimbatore as per the Christian rites and customs. Out of their wed lock they were blessed with a male child. A1 was working as a Senior System Administrator in IT Company under the name and style of Name cheap Web Service Private Limited, Coimbatore. At the time of marriage the



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defacto complainant was perusing her master in medicine at a University in Georgia. Due to matrimonial dispute, the defacto complainant lodged a complaint against the petitioners before the All Women Police Station, Thudiyalur, Coimbatore District on 12.04.2022 and CSR was issued. Hence, the complaint.

4. The learned counsel for the petitioners submitted that the petitioners are in laws of the defacto complainant, in order to harass the petitioners false complaint has been foisted against her. He further submitted that the 1st petitioner has filed a D.O.P.No.778 of 2022, which is also pending before the Family Court, Coimbatore. Hence, he prays to quash the FIR against the petitioners.

5. The learned Government Advocate (Crl.Side) submitted that based on the complaint lodged by the defacto complainant, FIR has been registered in Crime No.247 of 2022 pending investigation on the file of the 1<sup>st</sup> respondent police, for the alleged offence under Sections 294(b), 323, 506(ii) of IPC r/w 4 of TNPHW Act, 2002 against the petitioners. He further submitted that 1<sup>st</sup> petitioner filched the cash and jewels of the defacto



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complainant and refused to return the same and it needs detailed investigation. Hence, he opposed to quash the proceedings against the petitioners.

6. On considering the facts and circumstances, now it is at the stage of FIR, if at all any defence to prove their innocent, to work out their remedy before the trial Court, at this stage, this Court declines to quash the proceedings in Crime No.247 of 2022 pending investigation on the file of the 1<sup>st</sup> respondent. However, the personal appearance of the petitioners before the trial Court is ordered to be dispensed with and the petitioners are directed to appear if their appearance is necessary.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

11.03.2024

Index: Yes/ No  
Neutral Citation: Yes/No

rri



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To

1.The Inspector of Police,  
Karamadai Police Station,  
Coimbatore.  
Crime No.247 of 2022

2.The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

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