



Crl.O.P.No.19074 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.19074 of 2022

M.S.lalith Saran

... Petitioner

Vs.

1.State rep. By
The Inspector of Police,
M-4 Red Hills Police Station,
Red Hills, Chennai.
Crime No.195 of 2022

2. J.Thulasi Bai @ Latha

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records and to quash the FIR in Crime No.195 of
2022, pending investigation on the file of the 1st respondent.

For Petitioner : Mr.M.Saravanakumar

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

For R2 : Mr.S.Nagarajan



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ORDER

The petitioner has filed this petition to quash the FIR in Crime No.195 of 2022 pending investigation on the file of the 1st respondent, for the offences under Sections 294(b), 324 and 506(ii) of IPC, as against the petitioner.

2. The case of the prosecution is that already there was a matrimonial dispute between the defacto complainant and the petitioner's father. Due to which, there was a wordy quarrel among them, thereafter, the father of the petitioner assaulted the defacto complainant and her servant with kuthuvilakku, thereby they sustained simple injury. Hence, the complaint.

3. The learned Counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that already there was a matrimonial dispute among the petitioner's father and the defacto complainant, who is the mother of the petitioner. On the date of alleged occurrence the petitioner went to the defacto complainant's house with his father, and due to property dispute there was wordy quarrel among them.



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Thereafter, the 2nd respondent lodged a complaint against the petitioner and his father before the 1st respondent. The 1st respondent police registered a case in Crime No.195 of 2022 for the offences under Sections 294(b), 324 and 506(ii) of IPC, as against them. Hence he prayed to quash the same.

4. The learned Government Advocate (Crl.Side) submitted that due to property dispute there was a wordy quarrel among them, thereafter, the petitioner and his father abused and assaulted the defacto complainant and her servant, thereby they sustained injuries. Based on the complaint given by the 2nd respondent, FIR has been registered. Hence, he raised objection to quash the FIR.

5. When the matter is taken up for hearing, the defacto complainant appeared in person before this Court and submitted that the family dispute was settled and no objection to quash the proceedings.

6. Considering the facts and circumstances and the submission made by the defacto complainant, that the matter was settled. Further more, there is no prima facie material to initiate the proceedings. Therefore, this Court is



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inclined to quash the proceeding of FIR in Crime No.195 of 2022 pending on the file of the 1st respondent.

7. Accordingly, this Criminal Original Petition is allowed.

29.01.2024

Speaking Order/ Non Speaking Order

Index: Yes/ No

Neutral Citation: Yes/No

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To

1.The Inspector of Police,
M-4 Red Hills Police Station,
Red Hills, Chennai.
Crime No.195 of 2022

2.The Public Prosecutor,
High Court of Madras.

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