



Crl.O.P.No.18312 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.18312 of 2022

and

Crl.M.P.No.12062 of 2022

Dhanam

... Petitioner

Vs.

1.State rep. By
The Inspector of Police,
N2, Kasimedu Police Station,
Chennai.
Crime No.774 of 2021

2. Stella

... 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.774 of
2021, pending investigation on the file of the 1st respondent.

For Petitioner : Mr.P.Parthipan

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



Crl.O.P.No.18312 of 2022

ORDER

The petitioner has filed this petition to quash the FIR in Crime No.774 of 2021 pending investigation on the file of the 1st respondent, for the offences under Sections 147, 294(b), 323 and 506(ii) of IPC, as against the petitioner.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the 1st respondent police registered a case in Crime No.774 of 2021 for the offences under Sections 147, 294(b), 323 and 506(ii) of IPC, as against the petitioner. He also submitted that there is no specific overt act against the petitioner and the complaint was registered after 10 days from the alleged occurrence. Hence he prayed to quash the same.

3. The learned Government Advocate (Crl.Side) submitted that there was a wordy quarrel among one Rajam and the defacto complainant family members, thereafter, the petitioner and other accused persons abused and assaulted the defacto complainant with deadly weapons and thereby she



Crl.O.P.No.18312 of 2022

sustained grievous injuries. Based on the complaint given by the 2nd respondent, FIR has been registered. Hence, he raised objection to quash the FIR.

4. On a perusal of the records, it reveals that admittedly the petitioner is the sister of A1, but there is no prima facie material to prove the allegation. Already, she got married and living separately from Rajam family and there is no specific overt act against the petitioner. Considering the facts and circumstances, this Court is inclined to quash the proceeding of FIR in Crime No.774 of 2021 pending on the file of the 1st respondent.

5. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

29.01.2024

Speaking Order/ Non Speaking Order

Index: Yes/ No

Neutral Citation: Yes/No

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Crl.O.P.No.18312 of 2022

T.V.THAMILSELVI, J.

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To

- 1.The Inspector of Police,
N2, Kasimedu Police Station,
Chennai.
Crime No.774 of 2021
- 2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.18312 of 2022
and
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