



Crl.O.P.No.22357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:23.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22357 of 2023

M.Varun

.. Petitioner

/versus/

1.The Sub Inspector of Police,
All Women Police Station(East),
Coimbatore City,
Puliyakulam, Coimbatore-45
Cr.No.40 of 2023

2.W.R.Silpa

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records relating to the impugned FIR in Crime No.40 of 2023 on the file of the 1st respondent police and quash the same as illegal.

For Petitioner :Mr.R.Subburaj

For Respondents :Mr.K.M.D.Muhilan
Government Advocate
(Crl.Side) for R1
Mr.B.Mohan for R2



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ORDER

The petitioner herein is the husband of the defacto complainant. The case been registered against him for the offences under Sections 498(A), 506(ii) of IPC alleging that a false complaint has been initiated by the defacto complainant, who happens to be an Advocate by profession and hence, the present petition to quash the complaint has been filed.

2. This Court, on going through the First Information Report and the other documents, finds that there is a child, aged about 10 years, born to the parties and the child is in the custody of the petitioner herein. There is also an order by the Family Court regarding visitation right to the defacto complainant. Instead of the said order, it is alleged that the petitioner is demanding money and harassing the defacto complainant. Hence, the case in Crime No. 40 of 2023 has been registered by the first respondent. This Court earlier thought that being a matrimonial dispute, the parties can settle the dispute through the Mediation and Conciliation Centre and therefore, granted an



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interim stay.

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3. Today, when the matter is taken up for hearing the learned counsel appearing for the petitioner reports that the parties have not arrived at any settlement. This Court is of the view that the first respondent police shall dispassionate the investigation in this case and file the final report within a period of three months. The petitioner shall be called for enquiry on summons. On receipt of the summon, the petitioner shall co-operate with the investigation.

4. With the above observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

23.04.2024

Index:yes/no
Neutral Citation:yes/no
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To:



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The Sub Inspector of Police,
All Women Police Station(East),
Coimbatore City,Puliyakulam,
Coimbatore-45

DR.G.JAYACHANDRAN,J.



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and

Crl.M.P.No.15522 of 2023

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