



Crl.O.P.(MD)No.2154 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **31.01.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.2154 of 2022
and
Crl.M.P.(MD).No.1595 of 2022

1.S.Gokul

2.Sathyamoorthy

3.Devikarani

4.Latha

5.Gopi

... Petitioners

Vs.

1.The State through
Assistant Commissioner of Police(L & O),
Cantonment Range,
Trichy District.
(Crime No.19 of 2021)

2.The State represented by its
Inspector of Police,
AWPS-Cantonment,
Trichy District.
(Crime No.19 of 2021)

3.Mohan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in Crime No.19 of 2021 dated 20.09.2021 on the file of the first respondent Police and quash the same.



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For R-1 & R-2

: Mr.B.Nambiselvan,
Additional Public Prosecutor

For R-3

: Mr.B.Sekar

ORDER

This criminal original petition has been filed to quash the first information report in Cr.No.19 of 2021 dated 20.09.2021 on the file of the first respondent police.

2. The case of the prosecution is that due to matrimonial dispute between the petitioners and the third respondent's daughter, the petitioners herein attacked the *defacto* complainant's daughter. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that without going into the merits of the case, this Court may issue a direction to the second respondent police to complete the investigation within a stipulated period by providing an opportunity to the petitioners in order to disprove the complaint preferred by the third respondent.

4. Heard the learned Additional Public Prosecutor appearing for the respondent Police and the learned counsel for the third respondent.



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5. In view of the fair submission made by the learned counsel appearing for the petitioners, this Court is inclined to dispose the present petition by giving necessary direction to the second respondent Police. Accordingly, the second respondent Police is directed to conduct the investigation and complete the same within a period of six weeks from the date of receipt of a copy of this order by providing necessary opportunity to both parties and after completing the investigation, if any cognizable offences are made out, the second respondent Police shall file a charge sheet in the manner known to law. Incase, if cognizable offences are not made out, the second respondent Police shall close the case as “mistake of fact”. The petitioner is at liberty to produce all documents, in order to prove that there is no criminality in the complaint preferred by the third respondent and

6. In the result, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

31.01.2024

Index : Yes/No
Internet : Yes/No
TSG

<https://www.mhc.tn.gov.in/judis>



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To

1. The Assistant Commissioner of Police(L & O),
Cantonment Range,
Trichy District.
(Crime No.19 of 2021)

2. The Inspector of Police,
AWPS-Cantonment,
Trichy District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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