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CrI.O.P.(MD)No.4656 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD) No.4656 of 2022

and

CrI.M.P.(MD).No.3288 of 2022

1.K.Ramadevi

2.Selvi

... Petitioners

Vs.

1.State represented by
the Sub Inspector of Police,
Theni Police Station,
Theni.
(Crime No.73 of 2022)

2.Ponnammal

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.73 of 2022 on the file of the first respondent Police dated 25.02.2022 and quash the same.

For petitioners

: Mr.G.Mohan Kumar

For R-1

: Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)

For R-2

: No Appearance



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ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.73 of 2022 for the offence punishable under Sections 447, 294(b), 323 and 109 IPC on the file of the first respondent Police against the petitioners herein.

2. The case of the prosecution is that due to matrimonial dispute arose between the first petitioner and the second respondent's third son, the petitioners herein abused the second respondent by using filthy language and assaulted her with hands. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. He would submit that there is no specific overtact against the petitioners. He would further submit that without going into the merits of the case, this Court may issue a direction to the first 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 second respondent.

4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that there are



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materials available to proceed with the case as against the petitioners herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5. On a reading of FIR, there appears to be some materials for the investigation to proceed. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in *State of Haryana and others vs. Bhajan Lal and others* reported in *1992 Supp (1) SCC 335*.

6. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed. However, the first respondent Police is directed to conclude the investigation in Crime No.73 of 2022 within a period of four weeks from the date of receipt of a copy of this order. However, the petitioners are at liberty to canvass all the grounds, which are all raised in the present petition, before the first respondent Police at the time of investigation.

27.03.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
TSG



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To

- 1.The Sub Inspector of Police,
Theni Police Station,
Theni.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

TSG

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