



Crl.O.P.(MD)No.20095 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20095 of 2024
and Crl.M.P(MD).No.12415 of 2024

1.Jeyaraj
2.Jeevitha Christy
3.Prabhu
4.SAnthakumari
5.Manimadhavan
6.Juliet Halena
7.Preethi Jenifar

: Petitioners

Vs.

State rep., by

1.The Inspector of Police,
All Women Police Station,
Thoothukudi, Thoothukudi District.
(Crime No.31 of 2022)

2.Beulah

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the impugned FIR in Crime No.31/2022 on the file of the first respondent/complainant and quash the same as against the petitioners/accused No.3 to 8 and 10.

For Petitioner	: Mr.Y.Athiveerapandiayan
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Crl.side)
For R2	: Mr.M.Perumal



ORDER

WEB COPY

The petitioners arrayed as A3 to A8 & A10 in Crime No.31 of 2022 on the file of the first respondent and in-laws of the defacto complainant, have filed this quash petition.

2. The contention of the petitioners is that the marriage between one Vinoth Rajkumar/A1 and the defacto complainant took place on 07.02.2011 and they were blessed with boy baby. At the time of marriage, A1 was employed in Dubai. The defacto complainant was living in Thoothukudi. A1 used to visit the defacto complainant during leave. A1 used to send money to the defacto complainant and nearly Rs.1.40 crores was sent by A1 to the defacto complainant. When A1 questioned about the money, the defacto complaint fought with him and now, projected the case as if A1 /Vinoth Rajkumar had been living in relationship with one Packialakshmi, who is employed in Secretary and having house in Chennai and the same was patronized the petitioners/in-laws. Except the same, there is no allegation against the petitioners. The first petitioner is the father of A1, second petitioner is the sister of A1, third petitioner is the husband of the second petitioner, fourth and fifth petitioners are aunt and uncle of A1, sixth and seventh petitioners are A1's cousin sisters. A9 is



the husband of sixth petitioner. All are living separately in their respective address in Trichy, Thiruvallur and no one at any point of time were living with A1 or with the defacto complainant. The marriage between A1 married A2 solemnised on 25.01.2021, but the defacto complainant lodged complaint only on 19.10.2022 and the case was registered in Crime No.31 of 2022 for the offence under Sections 498(A), 494, 406 and 294(b) of IPC. Nothing of offences made out against the petitioners and the entire family members have been falsely roped in this case.

3. The learned counsel for the second respondent vehemently opposed the contention of the petitioners stating that the petitioners herein have abetted A1 to commit the offence. According to the second respondent, she came to know that A1 married A2 and from the year 2018, they are living as husband and wife and A2 employed in Secretary. Further, the defacto complainant is the third wife of A1, earlier, A1 got marriage twice, which was suppressed. Now, A2 is the fourth wife of A1. A1 is having a habit of deception and cheat the bride and he take away the jewel and cash value of Rs.36 Lakhs from the defacto complainant. The defact complainant is taking care of her son, who is studying 9th standard in Thoothukudi.



Crl.O.P.(MD)No.20095 of 2024

WEB COPY

4. The learned Government Advocate (Crl.side), who takes notice on behalf of the first respondent, on instructions, would submit that the case has been registered against the petitioners based on the complaint given by the defacto complainant and the investigation is going on. Notice would be served to the petitioners for their appearance. The contention of the petitioners would be considered by the investigating officer, if there are accepting materials.

5. Recording the submission of the learned Government Advocate (Crl.side), this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

20.11.2024

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Inspector of Police,
All Women Police Station,
Thoothukudi, Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.20095 of 2024



WEB COPY



Crl.O.P.(MD)No.20095 of 2024

M.NIRMAL KUMAR,J.

Rmk

Crl.O.P.(MD)No.20095 of 2024

20.11.2024