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Crl.O.P.(MD)No.22490 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2024

CORAM:

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

Crl.O.P.(MD) No.22490 of 2022

and

Crl.M.P.(MD).No.15894 of 2022

1.Gopu

2.Govindarajan

... Petitioners / Accused Nos.1 & 2

Vs.

1.State represented by
the Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(Crime No.969 of 2021)

2.Jothi

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records pertaining to the FIR in Crime No.969 of 2021 on the file of the first respondent Police and quash the same.

For petitioners
For R-1

: Mr.M.Pitchai Muthu
: Mr.S.Manikandan,
Government Advocate
(Criminal Side)

ORDER

This petition has been filed seeking to quash FIR in Crime No.969 of 2021 on the file of the first respondent Police, insofar as the petitioners are concerned.



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2. The case of the prosecution is that the marriage between the first petitioner and the second respondent / defacto complainant was solemnized in the year 2000 and the second respondent gave 42 sovereigns of gold jewels and household articles worth about Rs.5,00,000/- as dowry to the first petitioner. Since there was some matrimonial dispute arose between themselves, the second respondent went to her mother's house. It is alleged that the petitioners along with other accused persons had taken away all the jewels and other household articles of the second respondent. When the same was questioned by the second respondent, the petitioners herein abused her in filthy language and threatened her with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the respondent Police has registered a case against the petitioners without considering the real fact. He would further submit that the allegations made against the petitioners are false. Hence, he prays for allowing this petition.

4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that there are materials available to proceed with the case as against the petitioners



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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 the 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.969 of 2021 within a period of four weeks from the date of receipt of a copy of this order.

25.03.2024

Index : Yes/No

Internet : Yes/No

NCC : Yes / No

TSG

To

1. The Inspector of Police,
Ammappettai Police Station,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

TSG

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