



Crl.O.P.(MD)No.2875 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2875 of 2025

and

Crl.M.P(MD) No.1914 of 2025

1. Subramaniam
2. Lakshmi Rajam

.. Petitioners

Vs.

1. The Inspector of Police
All Women Police Station
Rajapalayam
Virudhunagar District

2. Tamilvathana

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the First Information Report in Crime No.32 of 2024 dated 26.10.2024 on the file of the Inspector of Police, All Women Police Station, Rajapalayam, Virudhunagar District and quash the same as against the petitioners.

For Petitioners : Mr.D.Rajaboopathy



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For Respondents : Mr.M.Sakthi Kumar
No.1 Government Advocate(Crl.Side)
No.2 : Mr.G.Karuppasamy Pandian

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.32 of 2024 dated 26.10.2024 on the file of the Inspector of Police, All Women Police Station, Rajapalayam, Virudhunagar District.

2. The learned counsel appearing for the petitioners submitted that the second respondent who is the daughter-in-law of the petitioners has lodged a complaint against the petitioners and others and based on the same the second respondent registered a case in Crime No.32 of 2024 for the offences under Sections 498(A) and 406 of IPC. Infact there are no specific allegations as against the petitioners and the allegations against the petitioners are vague and bald allegations. Even as per the First Information Report the gold ornaments given the first accused namely the husband of the second respondent and no jewels were entrusted to the petitioners and no any specific allegations in respect of demand of dowry as against these petitioners. Therefore the pending First Information



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Report is clear abuse of process of law and thereby it is liable to be quashed.

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3. The learned counsel appearing for the second respondent would submit that the petitioners along with their son who is the husband of the defacto complainant have caused harassment to the defacto complainant by demanding dowry and they also refused to return back the jewels of the defacto complainant, thereby she lodged a compliant before the first respondent and the case was registered and the same needs elaborate investigation.

4. The learned Government Advocate(Crl.Side) appearing for the first respondent would submit that based on the complaint lodged by the second respondent, the first respondent police registered a Crime No.32 of 2024 for the offences under Sections 498(A) and 406 of IPC and they will complete the investigation and file final report and hence at this stage the petition is liable to be dismissed.

5.Heard both sides and perused the materials available on record.

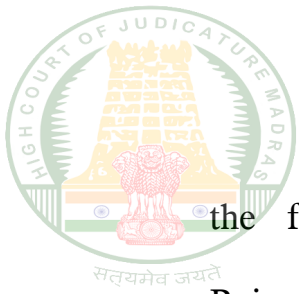


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6. Based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.32 of 2024 for the offences under Sections 498(A) and 406 of IPC and these petitioners are none other than the in-laws of the second respondent and due to matrimonial dispute a case has been registered. Even as per the First Information Report there are no materials to constitute the offence under Sections 498(A) and 406 of IPC. The main allegations are as against the first accused and there are no specific allegations as against these petitioners and the allegations are only bald and vague allegations. Only because the petitioners are in-laws they have been falsely implicated in this case with malafide intention. Further on perusal of the First Information Report it reveals that the complaint has been lodged with malafide intention as against the petitioners without any specific allegation. The family dispute has been converted into criminal case thereby the pending First Information Report is abuse of process of law and it is liable to be quashed.

7. Accordingly the Criminal Original Petition stands allowed and the First Information Report in Crime No.32 of 2024 dated 26.10.2024 on



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the file of the Inspector of Police, All Women Police Station, Rajapalayam, Virudhunagar District is hereby quashed as against these petitioners alone. Consequently connected miscellaneous petition stands closed.

08.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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



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P.DHANABAL,J.

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