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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15-10-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 10275 of 2023

AND

CRL MP(MD) NO. 8173 OF 2023

1. SOLAIAPPAN
2. AYYAMMAL
3. MARIAMMAL
4. RAMALAKSHMI

Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station,
Sattur, Virudhunagar District.
(Crime No.13 of 2022)

2. Selvarani

3. Selvam

(R3 is suo-motu impleaded as per order of the court
dated 13/06/2023 in Crl.OP(MD)10275 of 2023)

Respondent(s)

For Petitioner(s): Mr.R.Alagumani

For Respondent(s): Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.side) for R1
Mr.A.Arun Ramnath Legal Aid Counsel For R3

Prayer: To call for the records connected with the FIR in Crime No.13/2022 on the file of the Respondent No.1 and quash the same as illegal as against the petitioners.



ORDER

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This petition is filed to quash the FIR in Crime No.13/2022 on the file of the 1st respondent for the alleged offences under sections 498(A), 506(1), 109 of IPC and Section 4 of Dowry Prohibition Act, 1961.

2. There was an interim order directing the 1st respondent not to file the charge sheet. However, without noticing the said interim order, the 1st respondent has filed the charge sheet in CC.No.75 of 2025, before the Judicial Magistrate No.1, Sattur and the trial has started.

3. The learned Counsel appearing for the petitioners / Accused Nos.2 to 5 submitted that the Accused Nos. 2 to 5 have not committed any act as alleged in the FIR.

4. It is seen from the charge sheet that Section 498(A) of IPC is against 2nd and 3rd accused and not against 4th and 5th accused. Further, in the 161 statement the defacto complainant has only stated that the 4th and 5th accused have instigated to demand dowry. That too the defacto complainant have not stated the same in the 1st 161 statement, but had stated in the subsequent 164 statement he has stated about the instigation. But there is no evidence at all to prove that accused 4 and 5 have instigated to demand dowry. Moreover, it is an admitted fact that the 4th and 5th



accused are not residing with the defacto complainant and the 1st accused / husband.

Therefore, this Court is inclined to quash the impugned FIR as far as the 4th and 5th accused / 3rd and 4th petitioners herein are concerned. Therefore, this Court is inclined to quash the Charge Sheet as far as the 4th and 5th accused / 3rd and 4th petitioners are concerned and accordingly quashed.

5. As far as the 2nd and 3rd accused / petitioners 1 and 2 herein are concerned, the Learned Counsel appearing for petitioners 1 and 2 sought permission to withdraw the present petition as far as 2nd and 3rd accused / petitioners 1 and 2 herein and has made an endorsement to the effect. Thus, the criminal original petition is dismissed as withdrawn as far as the 2nd and 3rd accused / petitioners 1 and 2 herein are concerned with liberty to file a fresh petition.

6. With the above said observations, the criminal original petition is partly allowed. Consequently, connected miscellaneous petition is closed.

Tmg

15-10-2025



To

1. The Inspector of Police
All Women Police Station
Sattur, Virudhunagar District.

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