

Crl.O.P.(MD)No.13023 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.13023 of 2025 and
Crl.MP(MD) No.10234 of 2025

1. Mary Lilly
2. Gleetus

... Petitioners

Vs

- 1.The State of Tamilnadu,
Rep by its the Sub Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
Crime No.21/2025.

- 2.Nihela

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order calling for the records in Crime No.21/2025 on the file of 1st respondent/ All Women Police Station, Marthandam, Kanyakumari District and quash the same with regard to the petitioner.

For Petitioners
For R1

: Mr.S.C.Herold Singh,
: Mr.P.Kottaichamy
Government Advocate (Crl.side)



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ORDER

The petitioners /A2 and A3 in Crime No.21 of 2025, on the file of the first respondent police have filed this petition to quash the above proceedings, which is pending as against them.

2.The case in Crime No.21 of 2025 has been registered as against the petitioners and their son/A1, for the offence under Sections 498A & 406 IPC and Section 3(1) and 4 of the Dowry Prohibition Act. According to the learned counsel, the marriage between A1 and the defacto complainant was solemnised on 24.05.2023. The petitioners herein are the parents of the A1. The second petitioner is working as a teacher in a Private aided School. The petitioners are living separately in upstairs. Due to some misunderstanding, the defacto complainant is having a dispute with her husband/A1. According to the petitioners, they never involved in the affairs of A1 and the defacto complainant. Since the second petitioner is working as a teacher, the complaint has been foisted as against the petitioner and her husband, in order to coerce them and also for the purpose of some negotiation. According to the learned



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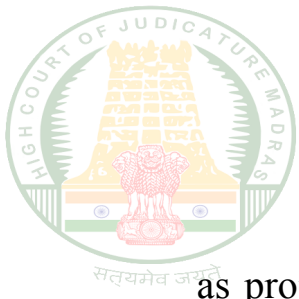
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counsel, this is a foisted case and the petitioners have not committed any offence as projected by the respondent.

3.Mr.P.Kottaichamy, learned Government Advocate (Crl.side), who takes notice for the official respondents submits that the second respondent has lodged a complaint in a detailed manner running to 10 pages. There are specific averments as against these petitioners also. He further submits that the genuineness of the complaint has to be verified only during the investigation. Since there are materials as against the petitioners in the complaint, they have registered the case as against them and therefore, it cannot be quashed, merely on the grounds raised in this petition.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioners are the mother-in-law and father-in-law of the defacto complainant. It's quite common that in matrimonial disputes the in-laws are also impleaded as accused. It is the responsibility of the police to find out the truth whether they actually committed any offence



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as projected by the defacto complainant. Investigation is the process of finding out the truth. The investigation agency has to collect the materials, not only from the defacto complainant but also from the adjacent residents of the matrimonial house and also the witnesses, if any, placed by the petitioners. The Investigating Agency shall also consider the grounds raised by the petitioners in this petition and find out whether there was any harassment by the petitioners as projected by the defacto complainant. It is also reported that by registering the complaint including the petitioners, the defacto complaint has written a letter to the Educational officer to take action as against the second petitioner. Mere registration of an FIR in the matrimonial disputes cannot cause any prejudice to the petitioners at this stage. Therefore, there cannot be any coercive action as against the petitioners for registration of the First Information Report.

6.In view of the above and on the grounds raised by the petitioners, this Court is not inclined to quash the proceedings in Crime No.21 of 2025. With a hope that the investigation would be conducted in a fair and proper manner, this Criminal Original Petition is closed,



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with liberty to this petitioners to challenge the final report, if any filed as against them. Consequently, connected Miscellaneous Petition is also closed.

04.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn

To

The Inspector of Police,
AWPS(South) Thilagar Thidal Police Station,
Madurai City.



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Order made in
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