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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2026

CORAM:

THE HONOURABLE JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 3285 of 2026
and
Crl.M.P. No. 2309 of 2026

Case QR

CNR: {HCMA010135182026}

1. Gurunathan
   S/o.G.Thembadi,
   Balaji Nagar,
   1/88, Kaveri Nagar,
   Adiyanuthu,
   Nagalnagar,
   Dindigul District.

2. Saraswathi
   W/o.Gurunathan,
   Balaji Nagar,
   1/88, Kaveri Nagar,
   Adiyanuthu,
   Nagalnagar,
   Dindigul District.

..Petitioner(s)

Vs

1. The State of Tamilnadu Rep. by The Inspector of Police
   All Women Police Station-S.R.M.C,
   Avadi,
   Chennai.
   Crime No. 17/2025.

2. Keerthi
   W/o.G.Jeyaprakash,
   No.4, G-A-1, V.G.N.Mahalakshmi Nagar,

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Thiruverkadu,
Chennai -77.

..Respondent(s)

PRAYER: To call for the records relating to Crime No.17 of 2025 on the file of the 1st respondent police and quash the same as illegal as against the petitioners and pass such further orders.

For Petitioner(s): Mr.A.K.Manikkam
M.Dinesh, K.Swetha,
I.Benisha A.Arun Pandi

For Respondent(s): Mr.A.Amarnath,
Additional Public Prosecutor for R1.

Mr.Deepanuday for R2.

O R D E R

This petition has been filed to quash the FIR in Crime No.17 of 2025 on the file of the 1st respondent police.

2.The case of the prosecution is that the first accused arrayed in the FIR is the husband of the defacto complainant and son of the second and third accused are the father and mother of the first accused and the first accused got married the defacto complainant on 22.04.2024 and they had set up their matrimonial house at Thiruverkadu, Chennai. While being so, he committed cruelty on her and she lodged a complaint on 27.11.2024 on the file of the first respondent police. On the complaint, enquiry was conducted and the first accused appeared and issues were

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settled between them and the first accused also assured that he will not commit any cruelty in future. Believing the said words, the defacto complainant joined with the first accused. Even thereafter, on 25.01.2025, once again the first accused used to harass the defacto complainant and he also used to assault her. He demanded huge dowry from the parents of the defacto complainant and when it was informed to his parents, they also harassed the defacto complainant and demanded dowry. Based on the complaint lodged by the second respondent/defacto complainant, the first respondent has registered a case in Crime No. 17 of 2025 for the offence punishable under Section 498(A) of IPC.

3.Learned counsel for the petitioners submits that the petitioners are in laws of the defacto complainant were arrayed as A2 and A3. They have been arrayed as accused without any iota of evidence to constitute the offence stipulated under Section 498A of IPC. In fact, they were living separately and no way connected with the defacto complainant's and the first accused house. All the allegations are bald, vague and the FIR cannot sustain as against the accused 2 and 3 herein.

4.Learned counsel for the second respondent submits that there are specific allegations to constitute the offence under Section 498(A) of IPC

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and it has to investigated in depth to find out the truth. Therefore, it cannot be quashed at its threshold.

5.Learned Additional Public Prosecutor appearing for the first respondent submits that FIR has been registered and it is in investigation. There are several allegations as against all the accused persons and prayed for dismissal of the quash petition.

6.Heard the learned counsel appearing for both sides and perused the materials available on record.

7.There are totally three accused, in which the petitioners are arrayed as A2 and A3. According to the defacto complainant, she had set up the matrimonial house in a different place, and A2 and A3 are living separately, and there are no specific allegations of overt acts as against A2 and A3. It is merely stated that when the cruelty committed by the first accused was informed to A2 and A3, they did not take any steps to reunite the defacto complainant with the first accused, and further, a bald allegation is made that they induced the first accused to harass her. Mere casual references to the names of family members in a matrimonial dispute, without any specific allegations of direct involvement, do not

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justify taking cognizance against them. Moreover, in cases involving matrimonial disputes, there is a growing tendency to implicate all family members, especially when disputes arise soon after the wedding. Hence, the FIR registered against A2 and A3 cannot be sustained.

8.Accordingly, this Criminal Original Petition is allowed and the proceedings in Crime No.17 of 2025 on the file of the 1st respondent police is quashed as against the petitioners/A2 and A3. No costs. Consequently, connected miscellaneous petition is closed.

18-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1.The Inspector of Police,
All Women Police Station – S.R.M.C.,
Avadi, Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai.

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G.K. ILANTHIRAIYAN, J

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