



Crl.O.P.(MD)No.11580 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2026

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.11580 of 2023

and

Crl.M.P(MD)No.9114 of 2023

Senthil Kumar

.. Petitioner

Vs.

1. The Inspector of Police
AWPS- Papanasam Police Station,
Thanjavur District

2.Lalitha Sri

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records connected to the FIR in Crime No.7 of 2023 on the file of the first respondent and quash the same as illegal as against the petitioners.

For Petitioners : Mr.R.Alagumani

For Respondents : Mr.P.Vetrivel
No.1 Government Advocate(Crl.Side)
No.2 : No appearance

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.7 of 2023 on the file of the first respondent police.

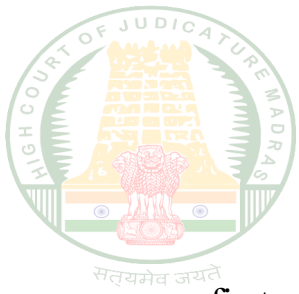


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2. According to the petitioner he is the fourth accused in this case and based on the complaint lodged by the second respondent the first respondent registered a case in Crime No.7 of 2023 for the offences under Sections 498(A), 323 and 506(i) of IPC. The case of the prosecution is that the defacto complainant and the first accused are husband and wife and their marriage was solemnized on 01.02.2023. Thereafter the first accused along with others used to harass the defacto complainant demanding more dowry and further they threatened the defacto complainant and thereby complaint has been lodged and based on the same, the present case has been registered.

3. The learned counsel appearing for the petitioner would submit that this petitioner is the sister's husband of A1 and there is no specific overt act attributed as against this petitioner and there is a matrimonial dispute between the first accused and the defacto complainant and only because he is the sister's husband of A1 he has been falsely implicated in this case and even as per the First Information Report there is no specific overt act as against the petitioner and therefore the pending First Information Report is liable to be quashed.



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4.The learned Government Advocate(Crl.Side) appearing for the first respondent would submit there is a family dispute between the defacto complainant and the accused and thereafter the first respondent conducted investigation and filed final report. As per the final report there are some allegations as against A1 to A3. So far as this petitioner is concerned there is no specific overt act as against the petitioner, however the respondent police prayed to pass appropriate orders.

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

6. On perusal of records it is seen that the there is a matrimonial dispute between the first accused and the defacto complainant and this petitioner is none other than the husband of the first petitioner's sister and he has been arrayed as A4. As per the First Information Report there are vague, omnibus and bald allegations and there is no specific overt act as against this petitioner. However his name has been mentioned in the First Information Report as fourth accused. Though the first respondent had completed investigation and filed final report, even as per the final report there is no specific overt act as against this petitioner and the first respondent has not deleted the name of the petitioner/A4 in the charge



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sheet, though there is no specific overt act as against this petitioner. Even though charge sheet is filed no cognizance has been taken by the Court and as per the final report also no incriminating materials available as against this petitioner. Therefore without any materials the petitioner need not face the ordeal of trial and thereby the pending First Information Report is abuse of process of law and the same is liable to be quashed.

7. In view of the same, the Criminal Original Petition stands allowed and the pending First Information Report in Crime No.7 of 2023 on the file of the first respondent police is hereby quashed. Consequently connected miscellaneous petitions stand closed.

11.06.2026

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

1. The Inspector of Police
AWPS- Papanasam Police Station,
Thanjavur District

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

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P.DHANABAL,J.

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