



Crl.O.P(MD).No. 19167 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2026

CORAM

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD)No.19167 of 2022

and

Crl.M.P(MD) Nos.12949 and 12951 of 2022

Maheen

... Petitioner/Accused No.1

Vs

**1. The State Represented by
The Inspector of Police,
All Women Police Station,
Goldenrock,
Trichy District.**

... 1st Respondent/Complainant

2. Hidayatul Kamila

... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to C.C.No.14 of 2018 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy and quash the same.

For Petitioner : Mr.Iqbal M.M

**For R1 : Mr.B.Nambi Selvan
Additional Public Prosecutor**

For R2 : M/s.S.Vijayashanthi



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.14 of 2018 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy.

2. The petitioner/A1/husband has filed this petition to quash the proceedings against him under Sections 498 (A) of I.P.C and r/w Section 3 and 4 of Dowry Prohibition Act, 1961.

3. According to the prosecution, the petitioner married the defacto complainant on 30.11.1998. Subsequently, as per the averments in the petition, they have consistently caused demanded dowry and also caused harassment and hence the defacto complainant has preferred a criminal complaint and the same was registered for the offence under Sections 498 (A) of I.P.C and r/w Section 3 and 4 of Dowry Prohibition Act, 1961. Thereafter, investigation conducted and final report has been filed and the same was taken on file in C.C.No.14 of 2018 on the file of the Judicial



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Magistrate, Additional Mahila Court, Trichy.

4. The learned counsel appearing for the petitioner submitted that there are no specific averments against the petitioner and that the allegations made are false and insufficient to constitute the offences alleged in the final report so as to frame charges. He further submitted that, apart from the allegations, there are no incriminating materials available against the petitioner in the FIR or in any of the materials collected by the investigating agency to attract the alleged offences. Hence, he prayed for quashing of the proceedings and contended that the present case falls within the principles laid down in *State of Haryana and others vs. Bhajan Lal and others (1992 (1) SCC 335)*.

5. The learned Additional Public Prosecutor appearing for the first respondent submitted that the investigating agency conducted a detailed investigation and found sufficient materials to frame charges against the petitioner under Section 498-A of the IPC and other alleged offences. He further submitted that several witnesses were examined during the course of investigation and their statements clearly disclose the harassment allegedly meted out by the petitioner. Hence, there are prima facie materials



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available against the petitioner.

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6. He also contended that this Court, while exercising its jurisdiction under Section 482 Cr.P.C., cannot undertake an appreciation of the evidence or assess the materials collected during the investigation for the purpose of quashing the proceedings. He further submitted that the case was posted for trial on 27.05.2026 and that, in view of the pendency of the present petition, the trial has not proceeded further.

7. The learned counsel appearing for the de-facto complainant reiterated the submissions made by the learned Additional Public Prosecutor and submitted that there are sufficient materials available on record to proceed further and to frame charges for the alleged offences. She further submitted that the de facto complainant and other witnesses have categorically stated about the demand for dowry and the harassment meted out to the victim by the accused. In such circumstances, she prayed for dismissal of the quash petition.

8. This Court has considered the rival submissions made on either side and perused the materials available on record.



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9. The victim and her relatives have categorically stated that the victim was subjected to demand of dowry and harassment in her matrimonial home.

10. In view of the aforesaid submissions, this Court is not inclined to appreciate the materials at this stage. Accordingly, this Criminal Original Petition stands dismissed. The petitioner is at liberty to raise all the grounds before the trial Court. The learned trial Judge is directed to complete the trial as expeditiously as possible. Consequently connected Miscellaneous Petitions are closed.

03.03.2026

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

1. The Judicial Magistrate,
Additional Mahila Court,
Trichy.
2. The Inspector of Police,
All Women Police Station,
Goldenrock,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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Order made in
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