



Crl.O.P.(MD) No.19197 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.19197 of 2023
and Crl.M.P.(MD).Nos.15161 and 15165 of 2023

Esakki Muthu

...Petitioner / 1st Accused

Vs.

1.The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.
(In C.C. No.21 of 2013)

...1st Respondent / Complainant

2.Gowri

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C. No.21/2013 on the file of the Judicial Magistrate, Alangulam, Tenkasi and quash the same.

For Petitioner :Mr.S.Packiya Muthu

For Respondent :Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

This criminal original petition is filed to quash the charge sheet in C.C. No. 21/2013 on the file of the Judicial Magistrate, Alangulam, Tenkasi.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.36 of 2013 for the offences punishable under Sections 498(A), 506(i) r/w 109 of IPC and Section 4 of Dowry Prohibition Act, 1961, against the petitioner.

3.The learned Government Advocate (Crl. Side) would submit that on the date of commencement of trial, the petitioner remained absent. Hence, warrant was issued against him. He would further submit that so far four witnesses have been examined. But, the petitioner has not cross examined them. Without cross examining the witnesses, this petition has been filed by the petitioner seeking quashment of the charge sheet.



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4.Let the petitioner surrender before the trial Court and get the warrant recalled. There is no question of quashment at this stage. This petition deserves to be dismissed.

5.Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

30.10.2023

TM

To

1.The Judicial Magistrate, Tenkasi.

2.The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.
(In C.C. No.21 of 2013)

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



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G.ILANGO VAN. J.

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