

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.13297 of 2015
and M.P.Nos.1 & 2 of 2015

Karthic

... Petitioner/2nd Accused

Versus

1.State by
Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore District.

2.Revathi .. Respondents/Complainant & Defacto
Complainant

Criminal Original petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in CC.No.139 of 2014 on the file of Judicial Magistrate No.I, Pollachi and quash the same as the devoid of merits.

For Petitioner: Mr.C.Veeraraghavan

For Respondent: Mr.M.Mohamed Riyaz, GA [Crl. Side] [for R1]

O R D E R

This petition has been filed to quash the proceedings in CC.No.139 of 2014 on the file of the learned Judicial Magistrate I, Pollachi.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the 1st respondent and perused the materials placed on record.

3. The defacto complainant by name Revathi got married to Kumar [A1] on 21.06.2010 and their matrimonial life ran into rough weather. On a complaint lodged by Revathi, the respondent police registered a case in Crime No.5 of 2014 for offences under Section 498A, 506[i] IPC against Kumar [A1] and Karthik [A2]/petitioner herein. After completing the investigation, the respondent has now filed a Final Report in C.C.No.139 of 2014 before the learned Judicial Magistrate I, Pollachi against both Kumar [A1] and Karthik [A2].

4. This Court ordered private notice to the defacto complainant and the learned counsel has filed an affidavit of service enclosing the returned postal cover.

5. On a reading of the Final Report and accompanying documents, this Court finds that there are no allegations against Kartic [A2], who is the brother-in-law of the defacto complainant and brother of A1, warranting a trial for the aforesaid offences. The allegation is that Kumar [A1] was demanding Rs.5lakhs from the defacto complainant for the marriage of Karthic [A2]. The other allegation against the petitioner/A2 is that, he has threatened the defacto complainant in a public place, that he will see to it, that she will be ousted from her job. Apart from this, there are no serious allegations against Karthic [A2].

6. In view of the above, this petition is allowed. Consequently, connected miscellaneous petitions are closed. The proceedings in C.C.No.139 of 2014 on the file of the Judicial Magistrate No.1, Pollachi is quashed as against Karthic [A2] alone.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I,
Pollachi.

2.do thro' The Chief Judicial Magistrate,
Coimbatore.

3.The Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore District.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.C.Veeraraghavan, Advocate,SR.29958.

Ppa(co)
krd 29/6

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