

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.30781 of 2014 and
M.P.No.1 of 2015 and
M.P.Nos.1 and 2 of 2014

1.B.Neelakandan
2.B.Padmavathy
3.B.Subramanian
4.Anand
5.R.Subramanian

... Petitioners

Versus

S.Ranjini

... Respondent

Criminal Original petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.396 of 2014 on the file of the learned Judicial Magistrate, Tambaram and to quash the same.

For Petitioners: Mr.V.Chinnasamy

For Respondent : Mr.N.Alagu Narayanan

O R D E R

This Criminal Original Petition has been filed by the petitioners seeking direction to call for the records in C.C.No.396 of 2014 on the file of the Judicial Magistrate, Tambaram and to quash the same.

2. Heard Mr.V.Chinnasamy, learned counsel for the petitioners and Mr.N.Alagu Narayanan, learned counsel appearing for the respondent.

3. For the sake of convenience, the parties are referred to as complainant and the accused. The accused are before this Court to quash the private complaint in C.C.No.396 of 2014 launched by the complainant for offences under Section 354, 420, 498A, 417 and 506 [ii] IPC.

4. On a reading of the complaint, it appears that the complainant got married to one Neelakandan the first accused on 08.03.2013 and thereafter, they set up their home in Cochin. The complainant had stated in the complaint that Neelakandan is impotent and the marriage did not consummate.

5. On a complete reading of the complaint, the allegations are more against Neelakandan and there are no serious allegations as against the petitioners/accused Nos.2,3,4 and 5 who are the mother, brother and brothers-in-law of Neelakandan.

6. Thus, this Court is of the opinion that the complaint as against petitioners/accused Nos.2 to 5 is abuse of process of law and accordingly, the proceedings as against the petitioners/accused Nos.2 to 5 is quashed. As regards Neelakandan/1st petitioner, the quash petition is dismissed and the Trial Court shall proceed in accordance with law.

7. The Trial Court is directed to complete the trial in C.C.No.396 of 2014 within a period of eight months from the date of receipt of a copy of this order. The 1st petitioner/accused should co-operate with the trial and cross-examine the witnesses, as and when they are produced.

8. With the above direction, this Criminal Original Petition is partly allowed. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya/nvi
To

1.The Judicial Magistrate, Tambaram.

2. -do- Through The Chief Judicial Magistrate,
Chennai.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.V.Chinnasamy, Advocate SR.20903

+ 1 cc to Mr.R.Alagu Narayanan, Advocate Sr.20945

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and
M.P.Nos.1 of 2015
and
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RSY(CO)
EU 06.05.2015