

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.6700 of 2007
and
M.P.No.1 of 2007

Vijayalakshmi

...Petitioner

Vs.

State represented by
The Inspector of Police
All Women Police Station
Madipakkam
Chennai
Crime No.29/2005.

...Respondent

PRAYER: This criminal original petition has been filed to call for the records pertaining in C.C.No.31 of 2007 and quash the same.

For Petitioner : Mr.A.C.Manibharathi

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to call for the records pertaining in C.C.No.31 of 2007 and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is the case of the prosecution that Jothilakshmi, the defacto- complainant got married to Lakshmanan (A1) on 18.11.1991 and their matrimonial life ran into rough weather resulting in, they getting estranged

4. In the year 2005, Jothilakshmi came to know that her husband Lakshmanan has married one Vijayalakshmi for the second time on 10.09.2004 and therefore, she lodged a complaint with the respondent police, based on which the case in Crime No.29 of 2005 was registered and after completing the investigation, the police have filed a final report against Lakshmanan (A1) and Vijayalakshmi (A2) for offences under sections 498 (A), 506 (i) and 494 I.P.C.

5. The learned counsel appearing for the petitioner submitted that there are no allegations against Vijayalakshmi (A2) herein and that, she did not know the Lakshmanan(A1) was already married to Jothilakshmi. Thereafter, Vijayalakshmi filed FCOP No.2070 of 2006 against her husband Lakshmanan before the Principal Family Court, Chennai, for declaring her marriage with Lakshmanan as null and void and the Family Court, Chennai, has also decreed the petition as prayed for on 26.09.2006.

6. This Court gave anxious consideration to the facts obtaining in this case. Except the alleging that Vijayalakshmi has married Lakshmanan during the subsistence of the first marriage, there are no other allegations against Vijayalakshmi.

In the result, this petition is allowed and prosecution in C.C.No.31 of 2007 on the file of the learned Judicial Magistrate, Alandur, as regards Vijayalakshmi (A2) is hereby quashed. The trial Court is directed to expeditiously complete the trial in C.C.No.31 of 2007 as regards the Lakshmanan (A1). Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

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सत्यमेव जयते
Sub Assistant Registrar

sms

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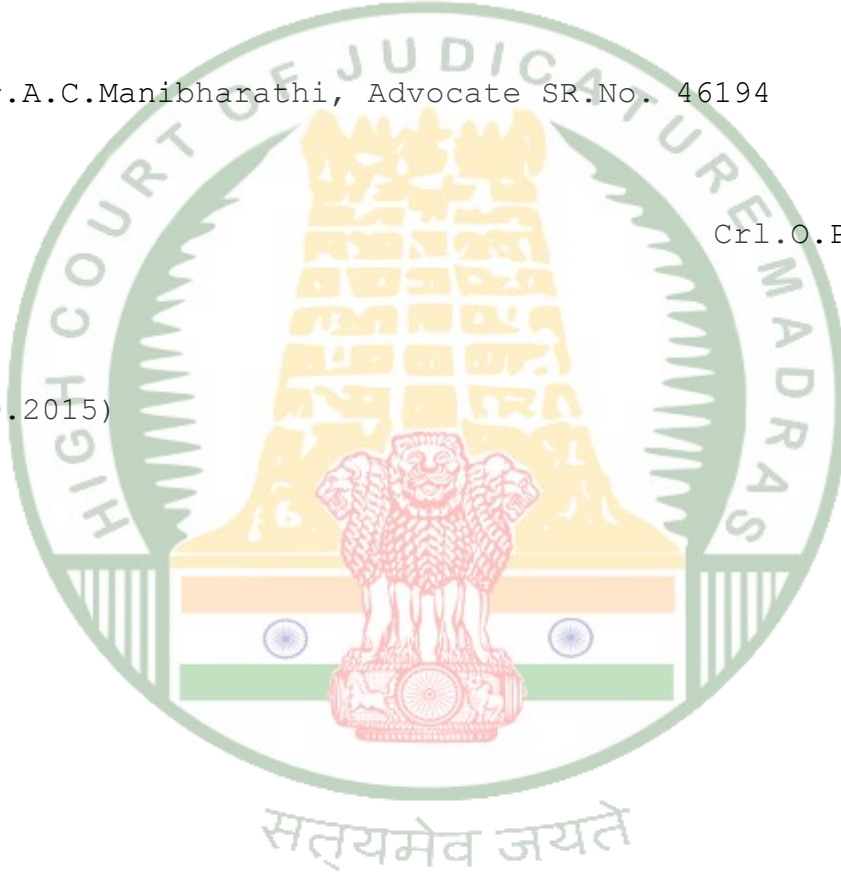
To

1. The Inspector of Police
All Women Police Station
Madipakkam
Chennai.
2. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.A.C.Manibharathi, Advocate SR.No. 46194

CrI.O.P.No.6700 of 2007
and
M.P.No.1 of 2007

RSI (CO)
PSI (18.09.2015)



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