

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26097 of 2015

1. Devi
2. Jagan @ Jagan Kumar ... Petitioners

..vs..

1. State rep. by
The Inspector of Police,
All Women Police Station,
Ponneri,
Thiruvallur District.
2. Sowmiya ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., seeking to call for the records in C.C.No.51 of 2015 pending on the file of the Judicial Magistrate-II, Ponneri and quash the same against these petitioners.

For Petitioner : Mr.K.Ilayaraja

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed seeking to call for the records in C.C.No.51 of 2015 pending on the file of the Judicial Magistrate-II, Ponneri and quash the same against these petitioners.

2. Heard both sides.

3. The petitioners state that they are husband and wife and they are arrayed as A4 and A5 in C.C.No.51 of 2015 on the file of the Judicial Magistrate No.II, Ponneri, Thiruvallur District. A complaint was lodged by one Sowmiya, the 2nd respondent herein against her husband, Sridhar-A1, mother-in-law, Nagamalli-A2, father-in-law, A3 and sister in law - A4, the 1st petitioner herein and sister-in-law's husband, Jagan - A5, the 2nd petitioner herein for alleged offences under Sections 417, 498A, 506(ii) IPC and Section 4 of Women Harassment Act.

4. The only ground raised in this petition is that there is absolutely no allegation against the petitioners to make out a case for the alleged offences under Sections 417, 498A, 506 (ii) IPC and Section 4 of Women Harassment Act.

5. In my considered opinion, as the complainant Sowmiya has included the names of the petitioners herein in her complaint on the allegation that they have also tortured her, and hence, I am not inclined to allow this petition as this is not a fit case to quash the complaint. Hence, this Criminal Original Petition is dismissed. However, the Trial Court is directed to dispense with the appearance of the petitioners during the course of trial. Consequently, connected miscellaneous petitions are closed.

aeb

-s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To :

1. The Inspector of Police
All Women Police Station,
Ponneri,
Thiruvallur District.
2. The Public Prosecutor
High Court of Madras,
Chennai.
3. The Judicial Magistrate No.II,
Ponneri.
4. do thro' The Chief Judicial Magistrate,
Thiruvallur.

+lcc to Mr.K.Ilayaraja, Advocate Sr.61493 [17/11/2015]

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