

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.16500 of 2014

and

M.P.Nos.1 and 2 of 2014

1.K.C.Kulandaisamy
2.K.Balamani
3.K.Jayabalan
4.Jagadeeswaran

... Petitioners

Vs

T.Suganya

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records in M.C.No.7 of 2014 on the file of Judicial Magistrate, Kangayam, Tiruppur District and quash the same in so far as the petitioners are concerned.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.N.Manokaran

ORDER

This petition is filed seeking for a direction to quash the proceedings in M.C.No.7 of 2014 on the file of Judicial Magistrate, Kangayam, Tiruppur District.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. Earlier the matter was referred to the Mediation and Conciliation Centre and the failure of Mediation report has been received. It is seen that Jagadeeswaran (4th petitioner) got married Suguna (respondent) on 20.08.2012. It is alleged that during the marriage, her parents had given a sum of Rs.1 lakh as dowry and 20 sovereigns of gold, apart from spending of Rs.5 Lakhs for the marriage. Even according to the respondent/wife, after

marriage, she went to Singapore and lived with her husband. It is alleged by the respondent/wife that her husband would come in a drunken stage everyday and would abuse her and would subject her to sexual assault.

4. On a complete reading of the complaint, there is no serious allegations against K.C.Kuladaisamy (1st petitioner), K.Balamani (2nd petitioner) and K.Jayabalan (3rd petitioner). They are the relatives of Jagadeeswaran (4th petitioner). There are sufficient allegations as against Jagadeeswaran and therefore, full fledged enquiry is necessary by the learned Judicial Magistrate. Hence, this petition is dismissed as regards Jagadeeswaran (4th petitioner) and the Court below is directed to complete the enquiry as expeditiously as possible. As against the petitioners 1 to 3, the proceedings in M.C.No.7 of 2014 on the file of Judicial Magistrate, Kangayam, Tiruppur District is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

The Judicial Magistrate Court,
Kangayam, Tiruppur District.

+lcc to Mr.N.Manokaran, Advocate, S.R.No.21996

Cr1.OP No.16500 of 2014
and
M.P.Nos.1 & 2 of 2014

SVI (CO)
CA(07/05/2015)

WEB COPY