

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.3024 of 2015

and

M.P.No.1 of 2015

Ayyappan

..Petitioner

Vs

1.State rep by
Sub Inspector of Police
All Women Police Station
Sathyamangalam
Crime No.14 of 2014.

2.I.Varalakshmi

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.235 of 2014 on the file of the learned Judicial Magistrate Court, Sathyamangalam and quash the same as illegal, incompetent and ultra vires.

For Petitioner	:	Mr.R.Vijayan
For Respondents	:	Mr.C.Emalias
		Addl.Public Prosecutor [for R1]
		Ms.R.Nirmala [for R2]

ORDER

This petition has been filed to call for the records in C.C.No.235 of 2014 on the file of the learned Judicial Magistrate Court, Sathyamangalam and quash the same as illegal, incompetent and ultra vires.

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

P.N.PRAKASH, J.

gms

3. On the complaint lodged by the defacto complainant, the respondent police registered a case in Cr.No.14/2015 and after completing the investigation, has filed a Final Report for offence u/s 498-A IPC against the petitioner herein, challenging which the petitioner is before this Court.

4. On reading of the Final Report it is alleged by the defacto complainant that on 20.08.2015, the petitioner, who is the husband of the defacto complainant, had scolded her, on account of which it is stated that she suffered mental tension. One isolated act of upbraiding cannot amount to cruelty in matrimonial relationships.

In the considered opinion of this Court, it is a fit case to quash the proceedings in C.C.No.235 of 2014. Accordingly, this petition is allowed and the proceedings in C.C.No.235 of 2014 on the file of the Judicial Magistrate, Sathyamangalam, are quashed. Consequently, connected miscellaneous petition is closed.

09.06.2016
(2/2)

gms

To
1.Sub Inspector of Police
All Women Police Station
Sathyamangalam.

2. Judicial Magistrate Court, Sathyamangalam.

3.The Public Prosecutor,
High Court, Madras.

Crl.OP No.3024 of 2015