

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

CRL.O.P.No.5250 of 2015
and
M.P.Nos.1 & 2 of 2015

1. M.Ranga
2. Gandhammal
3. Ramesh

...Petitioners

Vs.

1.The State rep.by
The Inspector of Police,
All Women Police Station,
Ambur, Vellore District.

2.Krishnaveni

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Code to call for the records to quash the charge sheet in C.C.No.140/2014 on the file of the learned Judicial Magistrate Court, Ambur, Vellore District.

For Petitioners : Mr.M.Rajendiran

For Respondent : Mr.M. Maharaja

Additional Public Prosecutor.

ORDER

The petitioners are accused in C.C.No.140/2014 on the file of the learned Judicial Magistrate Court, Ambur, Vellore District.

2. It is submitted by the learned counsel for the petitioners that on a complaint given by Krishnaveni, the case was registered against the petitioners for offences u/s 498 (A), 495, 506 (i) IPC.

3. As per the charge sheet, the first petitioner who was already married twice, suppressed the marriage and married the Defacto complainant- the second respondent herein and therefore, he committed punishable offence u/s 495 IPC. It is further stated that in the charge sheet that the other accused threw away the defacto complainant on 15.03.2015 without giving her food.

4. It is also submitted by the learned counsel for the petitioners that even according to the statement of the Krishnaveni-the defacto complainant that she was already married to one Bimraj and gave birth to a son through him and thereafter, she came to know that the first petitioner already married twice and had child through them and suppressing the fact, he married the petitioner. The second petitioner is a mother of the first petitioner and the third petitioner is her relative. He therefore submitted that there is no suppression by the first petitioner regarding his earlier marriage. The second petitioner did not implead the defacto complainant and therefore, the charges are liable to quash.

5. I am unable to accept the contention of the learned counsel for the petitioners. It is seen from the statement of Krishnaveni-Defacto complainant that she informed the first petitioner about the death of her husband and a son was born to him and the first petitioner promised to give her life and both of them got married in Tirupati and later, she came to know that the first petitioner already had two wives and got children and therefore, she quarrelled with him and later the first petitioner left her when she was pregnant.

6. The second petitioner, who is her mother - in- law also threw her away from her husband's house and the third petitioner threatened her. Therefore, having regard to the statement of Krishnaveni, prima facie offences are meted out and I do not find reasons to quash the charge sheet. Hence, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed.

gv

-s/d-

Assistant Registrar(CO)

Dt:19/3/2014

True Copy

Sub-Assistant Registrar

To

1. The State rep.by
The Inspector of Police,
All Women Police Station,
Ambur, Vellore District.

2. The Judicial Magistrate, Ambur,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.

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