

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.7121 of 2014
and
M.P.Nos.1&2 of 2014 & 1 of 2015

1.K.Prabhu
2.K.Vasanthakumar
3.Mr.H.R.Kannan
4.K.Pradeep

... Petitioners

Vs

N.Pavithra

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings which is pending before the Learned Judicial Magistrate No.1, Coimbatore in D.V.A.No.37 of 2013.

For Petitioners :Mr.Thilaisamy

For Respondent :Mr.I.Abrar Md.Abdullah

ORDER

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

2. For the sake of convenience, parties would be referred to as the complainant and opposed party. The complainant is the wife of K.Prabhu having got married to him on 07.11.2011 and through the wedlock, she has one child. It is averred in the complaint that the opposite parties had subjected the complainant to untold misery by abusing her frequently and also calling her as whore. It is also seen that the opposite party has taken 41 sovereigns of gold jewellery belonging to the complainant and they are illegally retaining the same. The complainant has been left to fend for herself with her daughter and that she is living in her parents home without being able to maintain herself.

3. On a complete reading of the complaint, there are averments on the opposite parties warranting a full fledged enquiry by the trial court.

4. The learned counsel for the petitioner submitted that the complainant has not produce any evidence along with the complaint. On a perusal of the complaint, it discloses the commission of offence and that evidence would be adduced only when the witness gets into the witness box. Therefore, this Court does

not find any merits in the petition and the same is dismissed. The Trial Court is directed to conduct expeditiously and complete the enquiry within a period of 6 months from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of with the above direction. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Judicial Magistrate,I,
Judicial Magistrate Court,Coimbatore.

2.The Chief Judicial Magistrate,
Coimbatore.

+1 cc to Mr.V.Thilaisamy, Advocate,SR.21012

+1 cc to Mr.I.Abrar Md Abdullah, Advocate,SR.20877.

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Crl.OP No.7121 of 2014
and
M.P.Nos.1&2 of 2015

The seal of the High Court of Madras is a circular emblem. It features a central golden temple gopuram (tower) with a red lion standing in front of it. The lion is facing forward and is flanked by two smaller lions. The entire emblem is set against a background of a green and white striped border. The words "HIGH COURT OF JUDICATURE MADRAS" are inscribed in a circular path around the central emblem. Below the emblem, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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