

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2016

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.155 of 2016

and

Crl.M.P.No.982 of 2016

S.Sivasankara Moorthy

.. Petitioner/Accused

vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
W-6, All Women Police Station,
Ayanavaram,
Chennai - 600 023.

.. Respondent/Complainant

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the order passed in Crl.M.P.No.12384 of 2015 in S.C.No.125 of 2015 on the file of the Sessions Judge, Mahila Court, Chennai, dated 19.01.2016.

For Petitioner : M/s.T.Chandrasekar

For Respondent : Mr.K.Madhan

Government Advocate (Crl.side)

O R D E R

Petitioner challenges against the order passed in Crl.M.P.No.12384 of 2015 in S.C.No.125 of 2015 on the file of the Sessions Judge, Mahila Court, Chennai, dated 19.01.2016.

2. In case being tried in S.C.No.125 of 2015 on the file of Sessions Judge, Mahila Court, Chennai, for offences u/s 6 Of Posco Acts 506(i) of IPC, petitioner sought relief under Section 227 of Cr.P.C by moving Crl.M.P.No.12384 of 2015, which was dismissed under orders dated 19.01.2016. Hence, this revision.

3. Heard learned counsel for petitioner and learned Government Advocate [Crl.side].

4. In dismissing the petition seeking discharge, the Court below has taken into consideration that the defacto complainant/mother of the child, is none other than the wife of the petitioner. A bare reading of the complaint informs commission of offence by the petitioner against his nine months old baby girl and the Court below rightly has dismissed the petition observing that a prima facie case stood made out against the petitioner.

5. This Criminal Revision is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1 The Sessions Judge,
Mahila Court, Chennai.

2 The Inspector of Police
W-6 All Women Police Station,
Ayanawaram, Chennai 23

3 The Public Prosecutor
High Court, Madras

+1cc to Mr.T. Chandrasekaran, Advocate, S.R.No.69971

md(11/01/2017)

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सत्यमेव जयते

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