

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.24436 of 2009

and

M.P.No.1 of 2009

Dr.Nirmala Dhevi

.. Petitioner

Vs.

1.K.Giri Babu

2.K.Subramaniyampillai

3.Rani

4.The State

Rep. by Inspector of Police,
All Women Police Station,
Arakkonam, Vellore District.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 439(2) of Cr.P.C., to set aside the portion of the order passed in Crl.M.P.No.4384 of 2009 dated 05.10.2009 on the file of the Principal Sessions Judge, Vellore.

For Petitioner : Mr.P.Krishnan

For Respondents : Mr.N.R.Rajagopalan (For R1 to R3)
Mr.C.Emalias

Addl Public Prosecutor (For R4)

ORDER

The petitioner has come forward with this petition to set aside the order passed by the learned Principal Sessions Judge, Vellore in Crl.M.P.No.4384 of 2009 dated 05.10.2009.

2.The learned counsel for the petitioner submitted that the respondents 1 to 3 filed a petition for anticipatory bail in Crl.M.P.No.4384 of 2009 and the said petition was dismissed with a direction not to arrest the respondents 1 to 3. He further submitted that now the case has been registered against the respondents 1 to 3 in Crime No.10 of 2009 for the offences punishable under Sections 498(A), 506(i) of IPC and Sections 4 and 6 of Dowry Prohibition Act.

3.Heard the learned Additional Public Prosecutor appearing for the fourth respondent.

4.Considering the above submission made by the learned counsel for the petitioner, I am of the view that the order passed by the learned Principal Sessions Judge, Vellore is non-est in the eye of law and there is no necessity for passing any order. Hence, the Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

cse

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Arakkonam, Vellore District.
2. The Principal Sessions Judge,
Vellore.
3. The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.24436 of 2009
and
M.P.No.1 of 2009

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