

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.24840 of 2010

and

M.P.No.1 of 2010

Santhanakrishnan

.. Petitioner

Vs

The State rep.by
Station House Officer,
D.Nagar Police Station,
Pondicherry.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Cr.No.19 of 2006 on the file of the respondent police and quash the charge sheet.

For Petitioner : Mr.V.Raghavachari
For Respondent : Mr.M.R.Thangavelu
Addl.Public Prosecutor
(Puducherry)

ORDER

This petition has been filed to call for the records in Cr.No.19 of 2006 on the file of the respondent police and quash the charge sheet.

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

3. On 16.01.2006, one Amudha committed self-immolation and died of burns, pursuant to which, the respondent police registered a case in Cr.No.19 of 2016 for offences under Sections 498-A and 304 (B) I.P.C. and Section 4 of the Dowry Prohibition Act, 1961, challenging which, the petitioner is before this Court.

4. It is relevant to state here that even in the typed set of papers, the accused has enclosed the final report and 161 Cr.P.C. statement, which clearly show that the accused was aware of the fact that the investigation has been completed in Cr.No.19 of 2006 and charge sheet has been filed against him.

5. It is contended by the learned counsel for the petitioner that earlier Amudha attempted to commit suicide in connection with which, a case in Cr.No.19 of 2006 was registered by T.Nagar Police Station, Chennai for offence under Section 309

IPC and even in the statement also, she has stated that she was not subjected to any harrasment by the accused. The learned counsel further submitted that in the present case also, in the dying declaration recorded by the Magistrate, Amudha has not implicated the accused.

6. This Court gave its anxious consideration to the rival submissions.

7. The respondent police have gathered sufficient evidence disclosing the involvement of the accused in the offence and under such circumstances, this Court is of the view that this is not a fit case to quash the FIR as prayed for by the petitioner.

In the result, this petition is devoid of merits and accordingly, the same is dismissed. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kkd

To

1.The Station House Officer,
D.Nagar Police Station,
Pondicherry.

2.The Public Prosecutor
High Court,Madras.

+1 cc to M/s.V.Raghavachari Advocate sr 53711
+1 cc to Government Pleader-cum-Public Prosecutor
for puducherry sr 54148

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