

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.15041 of 2015

and

Crl. M.P.No. 1&2 of 2015 & 4275,8303 of 2017

E. Kamaraj

... Petitioner

-Vs-

1. The Inspector of Police,
All Women Police Station,
Sriperumbudur,
Kancheepuram District.

2. E. Vasanthi

(2nd respondent is impleaded as per
the order dated 04.07.2017 made in
Crl.M.P.No.8303 of 2017 in
Crl.O.P. 15041 of 2015)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, call for the records relating to C.C.No.455 of 2014 pending on the file of the District Munsiff cum Judicial Magistrate, Sriperumbudur and quash the same.

For Petitioner : M/s.SVAAK legal

For Respondent : Mr.P.Govindarajan (R1)
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.455 of 2014 pending on the file of the District Munsif cum Judicial Magistrate, Sriperumbudur and quash the same.

2. The petitioner herein is the maternal uncle of One R.Parthiban. The marriage alliance was fixed between the said Parthiban and the second respondent and pursuant to the fixing of the date of the marriage, the petitioner and his family members had made arrangements for photo and video coverage to cover the marriage function. Moreover, they had also printed the wedding cards and made other arrangements for the marriage. The documents relating to the preparation of the marriage has been produced before this Court.

3. It is the case of the petitioner that prior to the marriage Parthiban and the second respondent had gone out and when the second respondent had revealed that she had prior relationship with another boy, the said Parthiban , having got offended, had complained the same to the second respondent's parents and after deliberations, the marriage came to be stopped. Subsequently, the second respondent seems to have filed complaint before the

first respondent herein and the same was registered in Crime No.5 of 2014 under Sections 420 IPC r/w Section 4 of Dowry Prohibition Act and 506 (i) of I.P.C.

4. Though notice was served on the second respondent and her name printed in the causes list today, none appears on behalf of the second respondent.

5. On a careful perusal of the complaint filed by the second respondent, it is seen that the complaint has been made with an intention to wreck vengeance on the first petitioner and his family members. The arrangements made by the petitioner for the marriage is evidenced from the receipts produced before this Court. It is his case that the petitioner was willing to get along with the said marriage and the same came to be stopped because of the second respondent's attitude. Hence, the averment made in the complaint raises a serious doubt as to its genuinity. It is also brought to my notice that the second respondent had subsequently got married and is now living happily. In this background, it would not be appropriate to keep the Criminal proceedings pending before the District Munsif Cum Judicial Magistrate, when the occurrences alleged in the case seems to be doubtful.

M.S.RAMESH,J

arr/lbm

6. In fine, this Criminal Original Petition is allowed and the proceedings in C.C.No.455 of 2014, pending on the file of District Munsif cum Judicial Magistrate, Sriperumbudur is quashed. Consequently, connected Miscellaneous Petitions are closed.

01.08.2017

(2/2)

Index: Yes/No
Internet: Yes/No

arr/lbm

To

The Inspector of Police,
All Women Police Station,
Sriperumbudur,
Kancheepuram District.

सत्यमेव जयते

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CRL.O.P.No.15041 of 2015