

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.Nos.26905 and 30534 of 2015
and M.P.Nos.1 & 2 of 2015 in Crl.O.P.No.26905 of 2015
and MP.No.1 of 2015 in Crl.O.P.No.30534 of 2015

1.S.Jayaprakash
2.S.Sathish Kumar
3.S.Karthik ... Petitioners/Accused 1,4 & 5
(in Crl.OP.No.26905/2015)

1.Subramani
2.Vasuki ... Petitioners/Accused 2 & 3
(in Crl.OP.No.30534/2015)

Vs

1.State by
The Inspector of Police,
All Women Police Station,
Thiruvallur, Thiruvallur District,
Crime No.3 of 2015. ...Respondent 1/complainant
(in both Crl.O.Ps)

2.Mrs.R.Aarathana ...Respondent 2/Defacto complainant
(in both Crl.O.Ps)

Common Prayer: Criminal Original Petitions filed under Section 482 Cr.P.C., to call for the records in C.C.Nos.245, 243 of 2015, on the file of the Judicial Magistrate No.2, Thiruvallur in Crime No.3 of 2015 on the file of the Inspector of Police, All Women Police Station, Thiruvallur, Thiruvallur District and quash the same.

For Petitioners : Mr.S.Ananthanarayanan
(in both Crl.O.Ps)

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor, For R1
(in both Crl.O.Ps)

M/s.Selvi George, For R2
(in both Crl.O.Ps)

COMMON ORDER

These Criminal Original Petitions are filed to call for the records in C.C.Nos.243 and 245 of 2015, on the file of the Judicial Magistrate No.2, Thiruvallur in Crime No.3 of 2015 on the file of the Inspector of Police, All Women Police Station, Thiruvallur, Thiruvallur District.

2. The 1st accused is the husband of the 2nd respondent herein and 2nd and 3rd accused are father-in-law and mother-in-law of the 2nd respondent. The 4th accused has expired and the 5th accused is the brother-in-law of the 2nd respondent.

3. On perusal of the complaint, it is seen that the offences alleged by the 2nd respondent have not been made out as against

the accused A2, A3 and A5 are concerned. As such it will not be proper for the first respondent to carry on the investigation insofar as these petitioners/Accused 2, 3 and 5 are concerned. Hence, the investigation as against the 2nd, 3rd and 5th accused is quashed. Since the 4th accused died, the charges against him stands abated.

4. It is open to the 1st respondent to proceed with the investigation as against the 1st accused is concerned. The 1st respondent is directed to complete the investigation as against 1st accused within a period of four months.

5. With this observation, the criminal original petitions are allowed as against the petitioners/Accused 2,3 and 5 are concerned and dismissed with regard to petitioner/1st accused. Charges against 4th accused stands abated. Consequently, connected miscellaneous petitions are closed.

09.08.2017

Index:Yes
ms/ggs

M.S.RAMESH.J,

ms/ggs

To

1. The Inspector of Police,
All Women Police Station,
Thiruvallur, Thiruvallur District,
2. The Public Prosecutor
High Court, Madras.



**Crl.O.P.Nos.26905 and
30534 of 2015**

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