



3.The case of the petitioner is that the the respondent has made false allegations and that the complaint was registered with an intention to harass the petitioners. The petitioners state that the marriage between the first petitioner and the second respondent was solemnized on 22.11.2015 and that the first petitioner and the second respondent were living separately, since 2016, due to family dispute. It is further stated that the first petitioner has filed HMOP No.244 of 2016 seeking divorce. The petitioner has also admitted that the second respondent has also filed a petition in HMOP No.209 of 2016 before the Special Court, Theni, for restitution of conjugal rights. It is to be noted that the first petitioner has filed a petition only after his wife filed HMOP No.209 of 2016, for restitution of conjugal rights.

4.Reading of the complaint clearly indicates that cognizable offences are made out and specific allegations are made against all the petitioners. Having regard to the nature of allegations made in the complaint and the charges framed as against the petitioners, this Court is not able to find any reason to interfere with the proceedings, as no legal ground is made to quash the proceedings.

5.The petition cannot be entertained at this stage, since, truth or otherwise in the allegations can be decided only at the time of trial. The petitioners cannot approach this Court for quashing the proceedings, only based on probability or motive. Absolutely, there is no legal ground so as to quash the proceedings, namely, the charge sheet in C.C.No.241 of 2016.

6.Hence this Criminal Original Petition is dismissed as devoid of any merits. The learned Counsel for the petitioner further submitted that a direction may be issued to the concerned Court to expedite the trial and to dispose of the case in C.C.No.241 of 2016 in the interest of justice. The said submission is accepted and the learned Judicial Magistrate, Theni is directed to complete the trial and dispose of the case in C.C.No.241 of 2016 within a period of six months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/



To

WEB COPY

1. The Judicial Magistrate, Theni, Theni District

2. Do through the Chief Judicial Magistrate,
Theni

3. The Inspector of Police,
All Women Police Station,
Theni,
Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+One cc to M/s.A.Mithunchakravarthi, Advocate, SR.No.83985

cmr

RL/6C/3P/KK/SAR3/8/11/2017

CRL.OP.(MD) No.14497 of 2017

27.10.2017