



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:30.11.2017
CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL.O.P.(MD)No.16416 of 2017 and
CrI.M.P(MD).Nos.10891 and 10892 of 2017

1.C.Saravanakumar
2.Chitthan
3.Lakshmi

: Petitioners/Accused Nos.1 to 3

-Vs-

1.The Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul.
(Crime No.56 of 2010)

: 1st Respondent/Complainant

2.Arockia Jeyarani

: 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to quash the entire proceedings in C.C.No.64 of 2011 on the file of the learned Judicial Magistrate No.III, Dindigul.

For Petitioners : Mr.A.R. Sethupathy
For 1st Respondent : Mr.K.S. Duraipandian
Additional Public Prosecutor

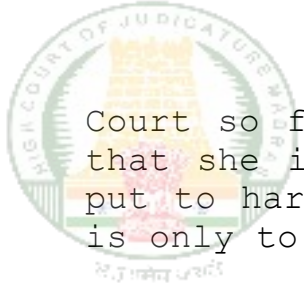
O R D E R

This petition is filed for quashing the proceedings in C.C.No.64 of 2011 on the file of the learned Judicial Magistrate No.III, Dindigul.

2. The petitioners are accused nos. 1 to 3 in the proceedings in C.C.No.64 of 2011 on the file of the learned Judicial Magistrate No.III, Dindigul. The second respondent, wife of the first petitioner has lodged a complaint and the same was registered originally and after filing charge sheet, the case was taken on file in C.C.No.64 of 2011, for the alleged offences under Sections 498(A), 354 and 506(i) of IPC. The nature of the complaint given by the second respondent is about dowry harassment and that therefore, the offence is made out. Based on the First Information Report, the charge sheet has been taken on file in C.C.No.64 of 2011.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel appearing for the petitioner states that the de-facto complainant has not appeared before the trial



Court so far and that she has not examined herself. It is stated that she is not co-operating for the trial and the petitioner is put to harassment and that the intention of the second respondent is only to embarrass and harass the petitioner.

4. Except raising some factual issues regarding the probability of the allegations, no other legal ground is submitted to quash the proceedings.

5. It is stated that Non-Bailable Warrant is pending against the de-facto complainant. It is the duty of the learned Judicial Magistrate, before whom the matter is pending to expedite the trial, even in a case, where the de facto complainant is not co-operating. Since the lower Court has issued Non Bailable Warrant, the petitioners cannot have any grievance for conducting the case before the learned Judicial Magistrate No.III, Dindigul.

6. Having regard to the over all circumstances of the case and submission of the learned counsel appearing for the petitioners, this Court is not inclined to entertain this petition. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. However, the lower Court is directed to expedite the trial and dispose of C.C.No.64 of 2011 within period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul.

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

3. The Judicial Magistrate No.III, Dindigul.

+1cc to M/S.T.R.SUBRAMANIAN, Advocate SR.No. 90376

CRL.O.P.(MD)No.16416 of 2017 and
CrI.M.P(MD).Nos.10891 and 10892 of 2017
30.11.2017