

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.12722 of 2018
and Crl.M.P.Nos.6876 of 6877 of 2018

J.Venkatraman

... Petitioner

vs.

1. Inspector of Police
Villupuram Taluk Police Station
Villupuram District.

2. R.Sivagami

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records pertaining to C.C.No.105 of 2017 on the file of the learned Judicial Magistrate Court No.I, Villupuram and quash the same.

For petitioner : Mr.T.Arockiadas

For R1 : Mrs.Kritika Kamal, P.
Government Advocate, (Crl.Side)

O R D E R

This petition has been filed to call for the entire records pertaining to C.C.No.105 of 2017 on the file of the learned Judicial Magistrate Court No.I, Villupuram and quash the same.

2. On the complaint lodged by the second respondent, the first respondent police have registered a case in Cr.No.807 of 2015 and after completing the investigation, have filed a charge sheet in C.C.No.105 of 2017 before the Judicial Magistrate-I, Villupuram, against the petitioner herein for the offences under Sections 506(ii), 498-A, 509, 384 and 323 IPC r/w Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, 1998, for quashing which, this petition has been filed on the ground that the de facto complainant turned hostile during trial.

3. At the time of admission on 28.04.2018, this Court

directed the police to produce the de facto complainant. Today, Sivagami, the de facto complainant is present. She has stated that on account of the pressure mounted on her by the relatives, she turned hostile. However, she wants to proceed with the prosecution of the accused, as there are several developments that had taken place in the mean time. Though the de facto complainant had turned hostile, it does not mean that the entire prosecution can be quashed, since the fact in issue can be proved by other evidences, if available.

4. Under such circumstances, this petition is dismissed with a direction to the trial Court to complete the trial in C.C.No.105 of 2017 within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gms

To

1. Inspector of Police
Villupuram Taluk Police Station
Villupuram District.
2. The Judicial Magistrate Court No.I,
Villupuram.
3. The Public Prosecutor
High Court, Madras.

+1cc to M/s.Doss Viswa Associates, Advocate, S.R.No.39020

CrI.O.P. No.12722 of 2018

NA(CO)
CS/03/07/18

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