

CRL.O.P.No.116 of 2019
and CRL.M.P.No.68 of 2019

G.K.ILANTHIRAIYAN. J,

Today, the matter was listed under the caption “for being mentioned” at the instance of learned counsel for the petitioner.

2. Considering the submissions made by the learned counsel appearing for the petitioner, the para Nos. 4, 5, 6 & 7 of the order dated 01.03.2019, shall be replaced as follows:

4. *The 1st petitioner is the sister of the 1st accused and the 2nd petitioner is husband of the 1st petitioner, they are residing at Selva Nagar, Salem.*

5. *A perusal of the entire records shows that nowhere in the final report, it is mentioned that petitioners A-8 & A-9 demanded dowry from the second respondent/defacto complainant or that they criminally intimidated second respondent / defacto complainant. The allegations in the FIR and the final report as far as the present petitioners are concerned, are vague. Therefore, this Court embarked upon an enquiry into the records of the case and found that apart from making an Omnibus allegation that A-8 & A-9 along with the other accused had cruelly treated the defacto complainant, there are no other materials on record for prosecuting A-8 & A-9. It is a common practice in matrimonial cases, to drag all the husband's family members. Therefore, the proceedings in C.C.No.27 of 2014 on the file of the*

G.K.ILANTHIRAIYAN. J,

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Additional Mahila Court, Coimbatore, is liable to be quashed, as regards the petitioners A-8 & A-9. The learned Additional Mahila Court, Coimbatore is directed to proceed further and with regard to the other accused in C.C.No.27 of 2014 and dispose of the same as expeditiously as possible.

6. With the above observations, in C.C.No.27 of 2014 on the file of the Additional Mahila Court, Coimbatore, is quashed as regards the petitioners A-8 & A-9 alone.

7. Accordingly, the Criminal Original Petition is allowed and the Trial Court is directed to complete the trial in C.C.No.27 of 2014 as against the other accused within a period of three months from the date of receipt of a copy of this order. Consequently, connected Crl.M.P.No.68 of 2019 is closed.

3. The Registry is directed to carry out necessary corrections in the order and issue fresh order copy.

04.04.2019

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