

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.02.2019
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.3989 of 2019
and Crl.M.P.No.2456 of 2019

M.Jayalakshmi

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
District Crime Branch,
Villupuram,
(Crime No.2 of 2016)

2. T.Natarajan ... Respondent

Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.306 of 2018 on the file of the learned Judicial Magistrate I, Villupuram and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.V.Vijay Shankar

For Respondent

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceeding in C.C.No.306 of 2018 on the file of the learned Judicial Magistrate I, Villupuram.

2. The learned counsel for the petitioner submitted that the petitioner is arraigned as A3 and even as per the prosecution case, there is no specific overt act as against the petitioner. It is a case of job rocketing and the entire case foisted as against her husband and mother-in-law. The petitioner did not receive any amount from the victim. He further submitted that at the time of alleged occurrence, the petitioner was a college student. Therefore, he sought for quashing the proceedings in C.C.No.306 of 2018, as far as the petitioner is concerned.

3. The learned Additional Public Prosecutor would submit that there are totally three accused in which, the petitioner is

arraigned as A3. There are specific allegations as against the petitioner. He further submitted that the statement of the victim stating that the petitioner was along with her husband and mother-in-law and assured that they would get the job to the victim. Therefore, he vehemently opposed to quash the proceedings.

4. Heard Mr.V.Vijay Shankar, the learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first respondent.

5. There are three accused in this case and the petitioner is arraigned as A3. It is a case of job rocketing. The other accused are none other than the husband and mother-in-law of the petitioner. It is seen from the statement recorded under Section 161(3) of Cr.P.C., there is specific averment as against the petitioner that she also along with the mother-in-law to collect the money from the victim to get job. However, all the points raised by the learned counsel for the petitioner to quash the proceedings, shall be established during the trial before the trial Court. Therefore, this Court is not inclined to quash the proceedings. The petitioner is at liberty to raise all the points before the trial Court.

6. With the above observations, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rts

To

1. The Judicial Magistrate No.I, Villupuram.

2. The Inspector of Police,
District Crime Branch, Villupuram.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.V.Vijay Shankar, Advocate SR.No.16574

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PA(CO)

CSL/25.03.2019