

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5766 of 2019
and Crl.M.P.Nos.3253 & 3254 of 2019

1.U.Yugengra Prabhu

2.U.Bhanumathi ... Petitioners

Vs

1.State Rep. by its
Sub-Inspector of Police,
All Women Police Station,
Gudiyatham.
(FIR Cr.No.26/2014
dated 04.07.2014)

2.R.Aparna Respondents

Prayer: Criminal Original Petition filed under Section 482
Cr.P.C. to quash the Final Report in C.C.No.316 of 2014, on the
file of the Judicial Magistrate, Gudiyattam.

For Petitioners : Mr.J.Prakasam

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

The prayer sought for in the present petition is to quash
the Final Report in C.C.No.316 of 2014, on the file of the
Judicial Magistrate, Gudiyattam.

2. The learned Counsel appearing for the petitioners would
submit that there is no cognizable offence made out against the
petitioners/accused and the issue involved relates to wordy
quarrel between the second petitioner and the second
respondent/defacto complainant, which cannot be converted into a
criminal case. The bald allegation of demand for dowry made
against the petitioners in the FIR and in the charge sheet do
not spell out any criminality. On the other hand, the
allegations made in the FIR and in the charge sheet lodged at

the instance of the second respondent, which are wild and vague. There is not even iota of ingredients to bring it under the ambit of Section 498-A of the Indian Penal Code and Section 4 of the Women Harassment Act. The allegations made in the FIR and in the charge sheet are made with an ulterior motive in order to wreak vengeance and to harass the petitioners. Hence, he prayed for quashing of the final report in C.C.No.316 of 2014 on the file of the Judicial Magistrate, Gudiyattam.

3. The learned Government Advocate would submit that the first respondent completed the investigation and filed the final report in C.C.No.316 of 2014 on the file of the Judicial Magistrate, Gudiyattam.

4. Heard Mr.J.Prakasam, learned counsel appearing for the petitioners and Mr.C.Raghavan, learned Government Advocate (Crl.Side) appearing for the first respondent.

5. In view of the above discussion, this Court finds that there are incriminating evidence to attract the charges for the offences under Section 498-A of the Indian Penal Code and Section 4 of Women Harassment Act, as against the petitioners and there is no merit in the above said petition. Hence, this Court is inclined to dismiss the Criminal Original Petition.

6. Accordingly, this Criminal Original Petition stands dismissed. However, the petitioners are at liberty to raise all the points before the learned Judicial Magistrate, Gudiyattam. Further, the trial Court is directed to complete the trial in C.C.No.316 of 2014 within three months, from the date of receipt of a copy of this Order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

tta/ah

To

1. The Judicial Magistrate,
Gudiyattam.

2. The Sub-Inspector of Police,
All Women Police Station,
Gudiyatham.

WEB COPY

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.J.Prakasam, Advocate, S.R.No.21275

Crl.O.P.No.5766 of 2019
and Crl.M.P.Nos.3253 & 3254 of 2019

AK(CO)
SSM(01/04/2019)



WEB COPY