

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:25.03.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7703 of 2019

Thangeswari,

...Petitioner

-Vs-

1.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

2.Gopalakrishnan

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the trial Court to dispose the petition filed under Section 319 Cr.P.C. in Crl.M.P.no.18476 of 2018 in S.C.No.143 of 2016 on the file of Mahila Court, Chennai, within a stipulated time.

For Petitioner : Mr.N.Thenrajan

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

O R D E R

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw the petition. He has also made an endorsement to that effect.

2.The petitioner's daughter has got married with the 2nd respondent viz., Gopalakrishnan on 09.11.2014. According to the petitioner, her daughter was continuously tortured by the 2nd respondent's family and she used to come to her parental house often crying and asking her parents to save her from her in-laws. While so, on 02.10.2015, they received a message that her daughter died due to hanging. Hence, the petitioner gave a complaint as against the 2nd respondent and his family members and the same was registered in Crime No.118 of 2015 for the offences under Section 174 of Cr.P.C. and subsequently altered to 498(A), 306 and 304(B) of IPC. After investigation, the 1st respondent police filed a charge sheet, wherein it was found that the parents and sister of the 2nd respondent's name were dropped. It is also alleged that the 2nd respondent has not returned the jewels and the sridhana articles, which were given

to him at the time of marriage. Hence, another complaint was lodged by the petitioner and the same was registered in Crime No.378 of 2017 for the offences under 506(i) IPC as against the 2nd respondent. Further the petitioner has sent a representation to the Commissioner of Police, to conduct further investigation in the above case and the same is pending in S.C.No.143 of 2016 on the file of this Court. Though petitioner's side were examined, no respondents were examined. Hence, the petitioner filed 319 Cr.P.C. petition in Crl.M.P.No.18476 of 2018 before the trial Court and the same is pending. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3.Heard both sides.

4.Considering the facts and circumstances of the case, without going into the merits of the case, the learned Sessions Judge, Mahila Court, Chennai is directed to dispose of the application in Crl.M.P.No.18476 of 2018 in S.C.No.143 of 2016, filed by the petitioner under Section 319 Cr.P.C., within a period of one months from the date of receipt of copy of this order.

5.With the above directions, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Sessions Judge,
Mahila Court,
Chennai-104.

2.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Thenrajan, Advocate, S.R.No.28210

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EV(CO)
RRS(31/05/2019)