



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17768 of 2019
and Crl.O.P No.17774 of 2016
and

Crl.M.P Nos.8965 & 8966 of 2019
and Crl.M.P Nos.8449 & 8450 of 2016

1. T.Balamuthukannan @ Arun

2. A.Thiyagaranan

Petitioners
in Crl.O.P No.17768 of 2019

3. Kanagamani

4. T.Sangeetha

Petitioners
in Crl.O.P No.17774 of 2016

vs.

1. State by The Inspector of Police,
W7, All Women Police Station,
Anna Nagar, Chennai.

2. Karthiga

Respondents
in both Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.15230 of 2014 pending on the file of Chief Metropolitan Magistrate Court, Egmore, Chennai - 600 008, and quash the same.

For Petitioners : Mr.A.R.Balaji for Mr.B.Vijay
in both Crl.O.P.s

For Respondents : Mr.M.Mohamed Riyaz
in both Crl.O.P.s Additional Public Prosecutor for R1

ORDER

These petitions have been filed seeking to quash the proceedings in CC.No.15230 of 2014, pending on the file of Chief Metropolitan Magistrate Court, Egmore, Chennai.

2. The petitioners are the husband and the in-laws of the
2nd respondent/defacto complainant. Based on the complaint
given by the defacto complainant, the respondent police



registered an FIR in Crime No.18 of 2012 and conducted the investigation and filed the final report before the Court below for the offences under Sections 498(A), 406, 506(i) of IPC and Sections 4 and 6 of the Dowry Prohibition Act.

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3. It is seen from records that, the marriage between the A1 and the defacto complainant has already been dissolved by judgment dated 21.04.2016 and the 2nd respondent has also remarried and living with her family. This fact has been admitted by the 2nd respondent in the counter filed by her in a parallel proceedings in HMCMA No.6 of 2016.

4. The learned counsel for the petitioners submitted that, in view of the above development, the 2nd respondent is no more interested in prosecuting the case and the criminal proceedings are kept pending from the year 2014 onwards.

5. The 2nd respondent has been served with the notice and her name has also been printed in the cause list. However there is no representation for the 2nd respondent.

6. Heard, the learned Additional Public Prosecutor on behalf of the respondent police.

7. Taking into consideration the facts and circumstances of the case and also of the fact that the 2nd respondent has already remarried and she is no more interested in the prosecuting the case and the pendency of the criminal proceedings against the petitioners is an abuse of process of court, the same requires interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

8. In the result, the proceedings in CC.No.15230 of 2014, on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai - 600 008 is hereby quashed. Accordingly, these criminal original petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(insp cell)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Chief Metropolitan Magistrate Court,
Egmore, Chennai - 600 008
2. The Inspector of Police,
W7, All Women Police Station,
Anna Nagar, Chennai.
3. The Public Prosecutor,
High Court of Madras, Madras.



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+2ccs to Mr.B.Vijay , Advocate SR.No. 60271,60272

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and Crl.O.P No.17774 of 2016

and
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A.SK(13/08/2019)