

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.25551 of 2017 and
Crl.M.P.Nos.14686 & 14687 of 2017

1. Radhika
2. Thilagavathi ... Petitioners
- Vs.
1. The Inspector of Police,
G3, Keelpakkam Police Station (L&O),
Keelpakkam, Chennai-10
2. Saravanan Respondents

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the case in S.C.No.301 of 2017 on the file of VI Additional Principal Sessions Judge, Chennai and quash the Charge Sheet and all further proceedings for offence under Sections 341, 324, 307 I.P.C. r/w 120(b) of I.P.C., so far as against the petitioners are concerned.

For Petitioners : Mr.Adinarayana Rao

For 1st Respondent: Mr. M.Mohamed Riyaz
Additional Public Prosecutor

For 2nd Respondent: M/s.E.Ezhil Caroline

ORDER

This petition has been filed to call for the records relating to the case in S.C.No.301 of 2017 on the file of VI Additional Principal Sessions Judge, Chennai and quash the Charge Sheet and all further proceedings for offence under Sections 341, 324, 307 I.P.C. r/w 120(b) of I.P.C., so far as against the petitioners are concerned.

2. The learned counsel for the petitioners would submit the second respondent is the husband of the first petitioner and the second petitioner is the mother of the first petitioner. He further submits that the first petitioner and the second respondent returned to Chennai from Dubai only for attending an inauguration function. While being so, the second petitioner has given the false

complaint stating that the second petitioner while was going in car, some unknown persons suddenly attacked them severely. But there is no motive to kill the second respondent as such the petitioners have filed this petition.

3. The learned counsel for the second respondent would submit that there are serious allegations against the petitioners as such trial proceedings is very much necessary against them. Hence, he sought for dismissal of this petition.

4. The learned Additional Public Prosecutor would submit that the allegations against the petitioners are to be considered only during trial as such he sought for dismissal of the petition.

5. It is seen that the grounds raised by the learned counsel for the petitioners have to be considered only during trial. At this stage, the grounds raised by the petitioners cannot be considered to quash the entire proceedings. Now the case is posted for trial. Therefore, considering the facts and circumstances of the case, this Court is not inclined to quash the entire proceedings. Further considering the age, the appearance of the second petitioner before the trial court is dispensed with.

6. With the above observations, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

lok

Sd/-

Assistant Registrar (CS)

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सत्यमेव जयते

Sub Assistant Registrar

To

1. The VI Additional Principal Sessions Judge, Chennai
2. The Inspector of Police,
G3, Keelpakkam Police Station (L&O),
Keelpakkam, Chennai-10
3. The Additional Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Shankar , Advocate SR.No. 11042

Cr1.O.P.No.25551 of 2017 and
Cr1.M.P.Nos.14686 & 14687 of 2017

A.SK(26/02/2019)