



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. [MD]No.5777 of 2019

and

Crl.M.P. (MD)Nos.3690 and 3691 of 2019

1.N.Pandi
2.M.Nagamalaiyan
3.N.Rajesh Kannan
4.M.Rajendran : Petitioners/Accused No. 1 to 4

/Vs./

1. The State rep by
The Sub Inspector of Police,
Thirumangalam Town Police Station,
Madurai District. : 1st Respondent/Complainant
(Crime No.265/ 2018)

2. B.Vidhya : 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the above charge sheet in C.C.No.36 of 2019 on the file of the learned Judicial Magistrate, Thirumangalam, Madurai District and quash the same.

For Petitioner : Mr.C.Gangai Amaran
For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

The present petition is filed to quash the final report in C.C.No.36 of 2019, wherein the petitioner faces trial for the offence under Sections 294 (b), 323, 506(1), 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

2. The learned counsel for the petitioners submitted that the first petitioner is the husband of the second respondent, the second petitioner is the father of the first petitioner, third petitioner is the brother of the first petitioner and the fourth petitioner is his uncle. He submitted that the matrimonial life between the first petitioner and the second respondent is strained and no material is available to frame charges against these petitioners.

3. Heard the learned Government Advocate (Crl.Side) appearing for the first respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate (Crl.Side) took this Court through the statements of various witnesses and this Court would



find statements implicating the petitioners in the offences. As to the merits of the statements are concerned that can be considered only during trial and the present stage is premature to form an opinion.

5. In the end this Court does not find any merit in the petition and the same is dismissed. However, this Court dispenses the personal appearance of the petitioners 2 to 4 before the trial Court, unless their presence is required for any specific purpose. Consequently, connected miscellaneous petitions are closed.

sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Thirumangalam,
Madurai District
2. The Sub Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1.CC. To Mr.C.Gangai Amaran, Advocate in SR No.7302

Cr1.O.P. [MD]No.5777 of 2019
24.04.2019

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