



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.5848 of 2019

and

Crl.M.P. (MD)No.3744 and 3745 of 2019

Hemalatha : Petitioner/Accused No.20
/Vs./

- 1.The State rep.by
The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District. ..1st Respondent/Complainant
- 2.Pandi Selvi ..2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pending on the file of the learned Judicial Magistrate, No.I, Ramanathapuram, Ramanathapuram District in P.R.C.No.10 / 2018 and quash the criminal proceeding as against the petitioner.

For Petitioner : Mr.S.Ramasamy
For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
No.1 Government Advocate (Crl.Side)

ORDER

The present petition is filed to quash the final report in Crime No.2 of 2011 now pending in P.R.C.No.10 of 2018.

2. There are 22 accused in this case and the offences involved are those under Sections 366 (A), 376 IPC and Sections 3, 4, 5 and 6 of Immoral Traffic (Prevention) Act.

3. The learned counsel for the petitioner submitted that the petitioner herein is arrayed as 20th accused and the only allegation against her is that she has supplied the girls to the customers.

4. The learned Government Advocate however clarified the said statement and added that it is not just an innocent act of supplying some willing girls to the customers but supplying girls alleged to have been abducted.



5. To this the learned counsel for the petitioner would make a fervent plea that even if the statement of the learned Government Advocate were to be trusted, yet unless the petitioner is the party to the abduction per se it cannot be stated that she has a previous knowledge that the girl supplied was an abducted girl.

6. This aspect, which the petitioner's counsel raised itself is a matter for trial. Under such circumstances, this Court does not find any merit in this petition and directs the petitioner to stand trial of the case. This Criminal Original Petition is dismissed accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate, No.I,
Ramanathapuram,
Ramanathapuram District

2. The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.RAMASAMY, Advocate (SR-62411[F] dated 25/04/2019)

TA

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KM/ (11.06.2019) 2P 5C