



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.6024 of 2019

and

Crl.M.P. (MD) Nos.3885 and 3884 of 2019

1.Dhiwya
2.Selvakumar
3.Santhi
4.Kathirvel

: Petitioners

Vs.

1.State rep.by
The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
(Crime No.25 of 2016)

2.K.S.Kanmani

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.415 of 2016 on the file of the Principal District Munsif cum Judicial Magistrate, Karaikudi and quash the same.

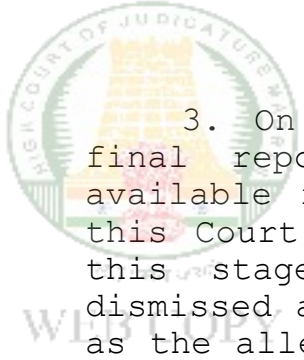
For Petitioner : Mr.V.Karuna

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

ORDER

The present petition is filed to quash the C.C.No.415 of 2016 on the file of the Principal District Munsif cum Judicial Magistrate, Karaikudi.

2. The learned counsel for the petitioners submitted that there is a matrimonial dispute between the first accused and the defacto complainant and she has foisted a false case implicating the petitioners. First petitioner is alleged to be the second wife of the first accused / husband of the defacto complainant and daughter of the second petitioner, third petitioner is the mother of the first petitioner and the fourth petitioner is the brother of the first petitioner.



3. On going through the FIR and the material papers of the final report, this Court does find that there are materials available for framing charges against the petitioners. Therefore, this Court does not want to interfere with the course of trial at this stage. Accordingly, this Criminal Original Petition is dismissed as there is no merit in this petition. However, inasmuch as the allegation against the petitioners 3 and 4 is that they have attempted to give the first petitioner in marriage to the first accused and their role is limited, this Court chooses to dispense with the personal appearance of the third and fourth petitioners before the trial Court, unless their presence is required by the trial Court for any specific purpose. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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To

1.The Principal District Munsif cum Judicial Magistrate,
Karaikudi.

2.The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.

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

+1 CC to M/s.V.KARUNA, Advocate (SR-63532[F] dated 27/04/2019)

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CS: (06/06/2019) 3P 5C