



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.6069 of 2019

and

Cr1.M.P. (MD) Nos.3925 and 3926 of 2019

1.Lakshmi

2.Devi @ Sudanthiradevi

: Petitioners

Vs.

1.State rep. By

The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

2.The Inspector of Police,

Usilampatti Town Police Station,
Usilampatti, Madurai District.
(Crime NO.550 of 2015)

3.Rajagopal

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned charge sheet in S.C.No.408 of 2016 on the file of the learned Additional District and Sessions Judge (Mahila Court), Madurai and quash the same as illegal.

For Petitioners

: Mr.K.Sivabalan

For R-1 and R-2

: Mr.A.P.G.Ohm Chairma Prabhu

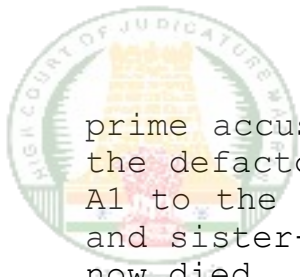
Government Advocate (Cr1.Side)

ORDER

This petition has been filed to quash the proceedings in S.C.No.408 of 2016 on the file of the learned Additional District and Sessions Judge (Mahila Court), Madurai.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1.Side) for the official respondents.

3. The allegation in this petition is that the daughter of the defacto complainant had committed suicide and a case was registered in Crime No.550 of 2015 for the offence under Section 174 (iii) Cr.P.C., and later it was altered into Section 306 IPC. A1 is the



prime accused and he is the husband of the victim and son-in-law of the defacto complainant. Based on the confession statement given by A1 to the police, the present petitioners who are the parent-in-law and sister-in-law of the victim girl came to be implicated. A1 also now died.

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4. The learned counsel for the petitioners submitted that except the confession statement of A1, there is no other material to implicate the present petitioners in the present crime. He also relied upon the judgment in the case of **Mohammed Hasan Vs. State by Inspector of Police, NIB, CID, Salem** - [(2008) 3 MLJ (Cr1) 1011].

5. The learned Government Advocate (Cr1.Side) also concurred that there is no independent material available to implicate the present petitioners with the crime alleged against them. This Court also perused the records and satisfied itself of the correctness of the statements made at the Bar.

6. In view of the above, the proceedings in S.C.No.408 of 2016 is quashed and this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Additional District and Sessions Judge (Mahila Court),
Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.
- 3.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CS: (14/06/2019) 2P 5C