



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.06.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD) No.8247 of 2019

and

Crl.M.P. (MD) Nos.5146 and 5147 of 2019

1.Irvin Melto
2.Stella
3.Austo King

: Petitioners

Versus

1. State rep. by
The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District,
(Crime No.28 of 2018).

2.Bharathi Kannamma

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records in S.C.No.9 of 2019 pending before the Additional District Court No.II for PCR Act Cases, Tirunelveli District and quash the proceedings against the petitioners.

For Petitioners : Mrs.Prabha,
For Mr.G.V.Vairam Santhosh
For Respondent No.1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking to quash the criminal proceedings initiated against the petitioners in S.C.No.9 of 2019 on the file of the Additional District Court No.II for PCR Act Cases, Tirunelveli District.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the first respondent.

3. The petitioners are the accused in S.C.No.9 of 2019 for offences under Sections 498(A), 406 and 506(i) IPC and Sections 4 and 6 of the Dowry Prohibition Act and Section 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Now, to quash the above



proceedings, the present petition has been filed.

4. The learned Government Advocate (Criminal side) appearing for the first respondent, on instructions, submitted that already trial has commenced and P.W.1 and P.W.2 were examined.

5. Considering the fact that trial has already commenced and two witnesses were examined, at this stage, the criminal proceedings cannot be quashed. Apart from that, no case is also made out to quash the proceedings. Hence, this Criminal Original Petition stands dismissed. However, as the trial has commenced, the learned Trial Judge is directed to proceed with the trial and complete the same, within a period of two months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

SML

To

1. The Additional District Court No.II for PCR Act Cases, Tirunelveli District.
2. The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.G.V.VAIRAM SANTHOSH, ADVOCATE, SR.NO.68986

Order made in
Crl.O.P. (MD) No.8247 of 2019
Dated: 14.06.2019

BUC (03/07/2019) 2P/5C