



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) No.9509 of 2019

Amirtha : Petitioner/Defacto Complainant

Vs.

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
Crime No.49 of 2013.

3. Parameswari

4. Jayakumari @ Priya

5. Uthiramoorthi

6. Chitravel

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent to secure the accused in Crime No.49 of 2013 within the time stipulated by this Court.

For Petitioner : Mrs.S.Devasena

For Respondents 1&2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking a direction to the second respondent to secure the accused in Crime No.49 of 2013, within the time stipulated by this Court.

2. The grievance of the petitioner is that the petitioner has given a criminal complaint against the respondents 3 to 6 and others for the offences punishable under Sections 417, 420, 506(i) of the Indian Penal Code and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. Even though a crime was registered as early as on 23.05.2013, the respondents 3 to 6 neither surrender nor get bail from the competent Court of law. In the above circumstances, the present petition has been filed for the aforesaid relief.



3. Mr.K.Suyambulinga Bharathi, learned Government Advocate (Criminal side), takes notice on behalf of the first and second respondents.

4. Considering the nature of order being passed in this petition and it is no way prejudice to the respondents 3 to 6, notice to them is dispensed with.

5. The learned Government Advocate (Criminal side) appearing for the first and second respondents, on instructions, submitted that totally, there are five accused in this case. Accused No.1 was arrested and came out on bail. Accused Nos.2 to 4 obtained anticipatory bail. Accused No.5 in this case has already filed a quash petition before this Court and this Court also dispensed with the appearance before the Trial Court. Now, the investigation has been completed and final report has also been filed before the Additional Mahila Court, Madurai and the above Court has also taken cognizance of the offence and the matter is pending in C.C.No.199 of 2017.

6. Considering the fact that already all the accused have been secured and they are on bail, the prayer sought for by the petitioner cannot be granted. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

SML

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
All Women Police Station,
Thiruparankundram, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.S.Devasena, ADVOCATE IN SR No.74078

Order made in

CRL.O.P. (MD) .No.9509 of 2019

Dated:05.07.2019