



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)No.14764 of 2015

and

MP(MD)No.1 of 2015

Mayil

...Petitioner / Accused No.2

Vs.

1.The Inspector of Police,
All Women Police Station,
Tenkasi, Tirunelveli District.
In Cr.No.17 of 2014.

... Respondent / Complainant

2.T.Sasikala

... Respondent / Defacto complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C No.272 of 2014 u/s.294(b) and 498 (A) of IPC as far as the petitioner / the second accused is concerned, pending trial on the file of the learned Judicial Magistrate, Thenkasi, Tirunelveli District and quash the same.

For Petitioner : Mr.R.Aravind Raj

For Respondents : Mr.A.Robinson,
Government Advocate (crl.side) for R1

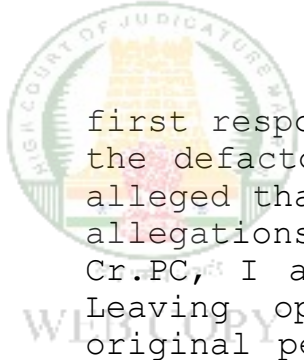
M/S T.Sasikala for R2

ORDER

The petitioner is figuring as A2 in C.C No.272 of 2014 on the file of the Judicial Magistrate, Tenkasi, Tirunelveli District. The second respondent is the defacto complainant. She got married to A1/the son of the petitioner herein on 02.07.2009. Alleging commission of marital cruelty and dowry demand, the defacto complainant filed a complaint before the All women Police Station, Thenkasi leading to registration of Crime No.17 of 2014. It was investigated and final report was filed and cognizance of the offences was taken. The case is taken up for trial in C.C No.272 of 2014 on the file of the Judicial Magistrate, Thenkasi. To quash the same, the mother in law of the defacto complainant has moved this Court for quashing the impugned proceedings initiated against her.

<https://hcservices.ecourts.gov.in/hcservices/> 2.Hear the learned counsel on either side.

3.The learned Government Advocate (crl.side) appearing for the



first respondent police draws my attention to the statement given by the defacto complainant. In her statement, the second respondent alleged that the petitioner had treated her cruelly. Since specific allegations are found in the statement recorded under Section 161 of Cr.PC, I am not in a position to quash the impugned proceedings. Leaving open all the contentions and defences, this criminal original petition is dismissed. However, the relief of dispensing with of her personal appearance is given. The trial court shall not insist the personal appearance of the petitioner unless it is necessary or imperative. Of course, on all other occasions, the petitioner will have to be represented by her counsel. Connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

1. The Judicial Magistrate, Thenkasi, Tirunelveli District.
2. The Inspector of Police,
All Women Police Station,
Tenkasi, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

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KB(23/03/2020) 2P 4C