



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**CRL OP (MD) . No.21216 of 2015
and
M.P. (MD)Nos.1 and 2 of 2015**

Allabucks ... Petitioner / Accused No.3

-Vs-

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

... 1st Respondent / Complainant

2.Abdullah Beevi @ Podhum Ponnu

... 2nd Respondents / Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to the C.C.No.191 of 2014, on the file of the Judicial Magistrate, Karaikudi and quash the same insofar as petitioner concerned.

For Petitioner : Mr.R.Murali

For Respondents : Mr.A.Robinson
Govt. Advocate (Crl. Side) for R1

O R D E R

The petitioner is facing trial in C.C.No.191 of 2014, on the file of the learned Judicial Magistrate, Karaikudi. The defacto complainant is the second respondent herein. She got married to one Abdullah. Their marital relationship came under strain. She therefore filed a complaint before All Women Police Station, Karaikudi, leading to registration of Crime No.3 of 2012. The matter was investigated and final reported was filed against all the accused for the offences under Sections 498(A), 294(b) and 506(ii) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2005, before the learned Judicial Magistrate, Karaikudi. Cognizance of the offences was taken. The case was taken on file in

<https://hcservices.courts.gov.in/hcservices/> C.C.No.191 of 2014.



2.To quash the same, some of the accused have filed CrI.O.P. (MD) No.2402 of 2015. The same was disposed of by me on 20.09.2019 and relief was granted to all the accused. The petitioner's counsel states that the case on hand is on the same footing. The petitioner is related to A1 through marriage. Except that the petitioner got married to the family, he does not appear to have been involved in any other way. Therefore, I am of the view that the very institution of criminal complaint against him is an abuse of legal process. Since the case of the petitioner is also covered by the order dated 20.09.2019, made in CrI.O.P.(MD)No.2402 of 2015, I quash the impugned proceedings as far as the petitioner is concerned. The criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

- 1.The Judicial Magistrate,
Karaikudi.
- 2.The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

Copy to:

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

+1 CC to M/s.M.SURESH KUMAR, Advocate (SR-104584[F] dated 12/12/2019)

CrI.O.P. (MD)No.21216 of 2015

10.12.2019

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SDS (03.06.2020) 2P-5C