



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2674 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

Muthu @ Muthukasinathan : Petitioner / Accused No.3

Vs.

1.The Inspector of Police
All Women Police Station,
Dindigul District.
Cr. No. 17/2014.

: Respondent/Complainant

2.Delsiya

: Respondent/Dfacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in C.C. No.376 of 2014, on the file of the Judicial Magistrate No.II, Dindigul quash the same.

For Petitioner : Mr.M.Subash Babu

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

ORDER

The petitioner is facing trial in C.C.No.376 of 2014, on the file of the learned Judicial Magistrate No.II, Dindigul, for the offences under Sections 294(b) and 4 of Dowry Prohibition Act.

2.The second respondent herein is the de-facto complainant. A-1 is her husband. A-2 is the mother-in-law. The petitioner herein is alleged to be a paramour of A-2. Even according to the de-facto complainant, the petitioner herein is not the relative of the husband. Therefore, the impugned prosecution deserves to be quashed as far as the petitioner is concerned. The prosecution has to of course go on against the remaining accused.



3. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

WEB COPY

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate No. II,
Dindigul.
2. The Inspector of Police,
All Women Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s. M. SUBASH BABU, Advocate SR-88448.

Cr1.O.P (MD) No. 2674 of 2015
20.09.2019

CS(11.10.2019) 2P 5C