

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.31052 of 2014 and
M.P.Nos.1 & 2 of 2014

1. J.Murali
2. K.Jayaraman
3. Rajeshwari
4. Balachandiran
5. Kumudha

... Petitioners

Vs.

U.Narmadha

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pending o the file of the learned District Munsif cum Judicial Magistrate, Thirukazhukundram, Kancheepuram District in M.C.No.6 of 2014 and quash the criminal proceedings.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.C.R.Malarvannan

ORDER

The respondent herein filed a complaint against the petitioners before the Protection Officer and after enquiry the Protection Officer filed a report before the learned Magistrate and the case was taken on file in M.C.No.6 of 2014. During pendency of the case, the petitioners have filed this petition to quash the case against them.

2 Learned counsel appearing for the petitioners would submit that the first petitioner is husband of the respondent and petitioners 2 to 5 are in-laws. After the matrimonial dispute, the first petitioner filed a petition for divorce and the respondent filed a petition for restitution for conjugal rights. During pendency of the matrimonial case, the respondent has filed this false case against these petitioners and hence the same has to be quashed.

3 Learned counsel appearing for the respondent would submit that since the first petitioner/husband along with the

petitioners 2 to 5 made cruelty and hence the respondent filed a case against these petitioners and they are liable to face trial.

4 Heard the learned counsel appearing on either side and perused the materials available on record.

5 On a careful perusal of the complaint filed by the respondent, prima facie there are allegations against all the petitioners. Under these circumstances, this Court is not inclined to invoke power under Section 482 of Cr.P.C.

6 Hence, this criminal original petition stands dismissed. Consequently connected miscellaneous petitions are closed. However, the petitioners are at liberty to raise all their defence before the trial Court.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

The District Munsif cum Judicial Magistrate,
Thirukazhukundram, Kancheepuram District.

+1cc to Mr.C.R.Malarvannan, Advocate SR.13886

+1cc to Mr.E.Kannadasan, Advocate SR.13700

Cr1.O.P.No.31052 of 2014 and

M.P.Nos.1 & 2 of 2014

CB(26/05/2020)

सत्यमेव जयते

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