

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.26735 of 2014 and
Crl.M.P.No.1 of 2014

1.Rajendran
2.Maragatham
3.Arun
4.Vinodh
5.Dhamayanthi
6.Bharathidasan ...Petitioners/Accused 3 to 8

Versus

Jaya ... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.44 of 2014 on the file of the Judicial Magistrate No.I, Chidambaram and quash the same as illegal sofar as the petitioners are concerned.

For Petitioners : M/s.R.Sankarasubbu

For Respondent : M/s.R.Rajamani

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.44 of 2014 pending on the file of the Judicial Magistrate Court No.I, Chidambaram.

2.The respondent filed a private complaint before the Court below against the petitioners and other accused for the offences under Sections 417, 420, 498(A), 494 of IPC and Section 4 of Tamil Nadu Women Harassment Act.

3.The learned counsel for the petitioners would submit that the petitioners have been roped in this case based on some vague allegations made against them. The learned counsel would further submit that the criminal proceedings as against the petitioners is an abuse of process of Court and the same requires interference of this Court and the petitioners have been roped

in this case on the ground that they are the relatives of the 1st accused, who is the husband of the respondent. He would further submit that there is no evidence to prove the petitioners were facilitated the second marriage of the 1st accused with 2nd accused.

4.The learned counsel for the respondent would submit that the witnesses have spoken about the part played by the accused persons and there are materials to frame charges against the accused persons and the petitioners will have to establish their defence only before the Court below in the course of trial and there is no ground to interfere with the proceedings at this stage.

5.This Court has carefully considered the submissions made on either side and also the materials available on record.

6.A careful reading of the complaint shows that there is no allegation made against the petitioners. Except for some vague allegations made against the petitioners, there are absolutely no materials to show that the petitioners had in any way acted with cruelty against the respondent and the petitioners unnecessarily roped in as accused and are made to face a criminal prosecution. The proceedings against petitioners is an abuse of process of Court and the same requires interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

7.In the result, the proceedings in C.C.No.44 of 2014, pending on the file of the Judicial Magistrate No.I, Chidambaram is hereby quashed insofar the petitioners are concerned. Accordingly this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate No.I,
Chidambaram.

CrI.O.P.No.26735 of 2014

AK(CO)
RN(19/05/2020)