



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P(MD)No.12195 of 2020 and

Crl.M.P.(MD) Nos.5521 & 5522 of 2020

WEB COPY

G.Padmini

:Petitioner/Accused No.2

Vs

1.The State represented by
The Inspector of Police,
C2 Subramaniyapuram Police Station,
Madurai,
Madurai District.

:1st Respondent/Complainant

2.Sundararaj

:2nd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.C.No.192/2015, on the file of the District and Sessions Judge, Mahila Court, Madurai, for the offences under Sections 174 of Cr.P.C @ 498(A), 304(B), 294 (b) of IPC and to quash the same against this petitioner.

For Petitioner

: Mr.J.Senthil Kumar

For R1

: Ms.S.E.Veronica Vincent

Government Advocate(crl side)

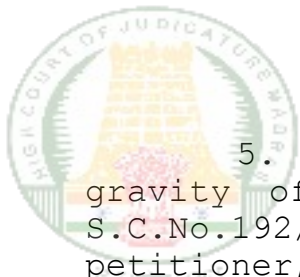
O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first respondent.

2. It is seen from the affidavit filed in support of the petition that the petitioner is arrayed as an accused No.2 in S.C.No.192/2015, on the file of the learned District and Sessions Judge, Mahila Court, Madurai, for the offences under Sections 174 of Cr.P.C @ 498(A), 304(B), 294 (b) of IPC. The petitioner herein is the mother of the first accused.

3. The learned counsel for the petitioner submitted that the petitioner is an age old lady and the offences under Sections 498 (A), 304(B), 294(b) of IPC were not made out against her. Therefore, he seeks to quash the case as against the petitioner and prays to dispense with the personal appearance of the petitioner before the trial Court.

4.The learned Government Advocate has strongly objected to quash the case against the petitioner.



5. Considering the facts and circumstances of the case and gravity of the offences, this Court is not inclined to quash S.C.No.192/2015. However, taking into account the age of the petitioner, the personal appearance of the petitioner alone is dispensed with. Further, the learned District and Sessions Judge, Mahila Court, Madurai is directed to dispose of the case in S.C.No.192/2015, within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

- 1.The District and Sessions Judge,
Mahila Court,
Madurai
2. The Inspector of Police,
C2 Subramaniyapuram Police Station,
Madurai, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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