



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1480 of 2016

and

Crl.M.P. (MD)Nos.776 and 777 of 2016

WEB COPY

1.S.Sambasivam @ Raja Sthapathy
2.Shanmuga Sundaram
3.S.Palaniammal

... Petitioners/Accused No.1 to 3
Vs.

1.State rep by
The Inspector of Police,
All Women Police Station,
Pudukkottai,Pudukkottai District.
(Crime No.5 of 2014)

... Respondent / Complainant

2.G.Kavitha

... Respondent/Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records from the lower Court to quash all the further proceedings in C.C.No.60 of 2015 pending on the file of the Judicial Magistrate Court, Pudukkottai and quash the same concerning the petitioners.

For Petitioners : Mr.S.Udhaya Kumar

For Respondents : Mr.A.Robinson

Govt. Advocate (Crl. Side) for R1
Mr.J.Anandkumar for R2

O R D E R

The petitioners are facing trial in C.C.No.60 of 2015 on the file of Judicial Magistrate, Pudukkottai for the offences under Sections 498(A), 406 and 506(i) of I.P.C., and Section 4 of Dowry Prohibition Act.

2.The second respondent is the defacto complainant. The learned counsel appearing for the petitioners reiterated the contentions set out in the memorandum of grounds. It is seen that they are rather factual in nature. Therefore, the petitioners will have to necessarily establish their innocence only in a regular trial. The contentions raised by the petitioners' counsel are not sufficient for invoking the inherent powers of this Court to quash the impugned proceedings. Therefore, leaving open all the contentions and defences of the petitioners, this criminal original petition stands dismissed. However, taking note of the over all facts and circumstances of the case, the personal appearance of the petitioners is dispensed with. Of course the petitioners have to be represented by their counsel when they are absent. The petitioners



also have to appear when their presence is absolutely necessary and imperative. The Trial Magistrate will endeavour to conclude the trial on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CrI.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

To

1.The Judicial Magistrate,
Pudukkottai.

2.The Inspector of Police,
All Women Police Station,
Pudukkottai,
Pudukkottai District.

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

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-2252[F] dated 21/01/2020)

CrI.O.P(MD)No.1480 of 2016
21.01.2020

SMA/26/02/2020/2P/5C