



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.12.2020

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Crl.OP(MD)No.6931 of 2017

and

Crl.MP(MD)Nos.4669 and 4670 of 2017

1.Vimala
2.Umayal
3.Subashini
4.Ilaiyabarathi

: Petitioners/A2 to A5

Vs.

1.State thro' the Inspector of Police,
All Women Police Station,
Vallam, Thanjavur District.

In Crime No.10 of 2014. : 1st Respondent/Complainant

2.A.Suganthi : 2nd Respondent/De-facto Complainant

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to call for the records in CC No.248 of 2015 on the file of the Judicial Magistrate No.II, Thanjavur and quash the same as against the petitioners/A2 to 5.

For Petitioners : Mr.N.Ananthapadmanabhan

For 1st Respondent : Mr.K.Karmegam
Government Advocate
(Criminal side)

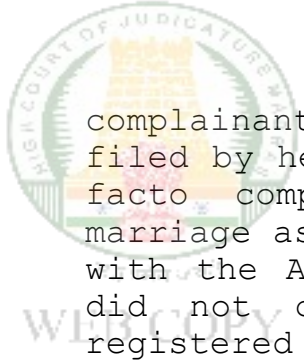
For 2nd Respondent : No appearance

O R D E R

This Criminal Original Petition is filed seeking for a direction to quash the C.C No.248 of 2015 on the file of the Judicial Magistrate No.II, Thanjavur, against the petitioners/A2 to A5.

2.According to the prosecution, the marriage between A1 and the de-facto complainant was solemnized on 04.03.2012 at Thanjavur and at the time marriage, the parents of the de-facto complainant given 30 sovereigns of jewels and other household articles and after marriage, A2 to A5 tortured the de-facto complainant by demanding more dowry and when the same was informed by the de-facto complainant to A1, he does not care about the words of the de-facto complainant and further, he sent the de-facto complainant to her parental house. Hence, this case.

3.The learned counsel appearing for the petitioners submitted that the averments made in the complaint given by the de-facto



complainant is totally in contradiction with that of the petition filed by her before the Principal Family Court, Chennai and the de-facto complainant filed petitions seeking for dissolution of marriage as well as for maintenance prior to the complaint preferred with the All Women Police Station, Vallam and these two petitions did not carry any of the allegations made in the complaint registered by the 1st respondent police in Crime No.10 of 2014 and thus, all the allegations made in this case is nothing but an afterthought, concocted, vexatious and mala fide. At this juncture, now the learned counsel for the petitioners submitted before this court that he is willing to conduct the case before the trial court and hence, a direction may be issued to the trial court to dispose of the case within a short space of time.

4. Heard the learned Government Advocate (Criminal side) appearing for the 1st respondent/State

5. Keeping in view of the above facts and also considering the submission made by the learned counsel appearing for the petitioners, this criminal original petition is disposed of with a direction to the trial court namely the Judicial Magistrate No.II, Thanjavur, to post the case in CC No.248 of 2015 on day-to-day basis and dispose of the same purely 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 (CS III)

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/ /2020

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate No.II,
Thanjavur.

2.The Inspector of Police,
All Women Police Station,
Vallam, Thanjavur District.

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

Cr1.OP(MD)No.6931 of 2017

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