



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.12.2020

CORAM

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

Cr1.OP(MD)No.9828 of 2017

and

Cr1.MP(MD)No.6708 of 2017

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Mahalakshmi

: Petitioner/A6

Vs.

1.The State rep. by

The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
(Crime No.7 of 2016)

:1st Respondent/Complainant

2.Menaka

: 2nd Respondent/ De-facto Complainant

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to call for the entire records pertaining to C.C No.87 of 2017 pending on the file of the Judicial Magistrate, Srivaikundam, Thoothukudi District and quash the same.

For Petitioner : Mr.R.Anand

For 1st Respondent : Mr.R.Anandharaj

Addl. Public Prosecutor

For 2nd Respondent : Mr.Vidhya Sagar

O R D E R

(Thro' VC)

This Criminal Original Petition is filed seeking for a direction to quash the case in CC No.87 of 2017 pending on the file of the Judicial Magistrate, Srivaikundam, Thoothukudi District.

2.According to the de-facto complainant, the marriage between her and A1 was solemnized on 30.08.2009 and A2 and A3 are her parents-in-law and A4 and A5 are brother and brother's wife of her husband. At the time of marriage, 15 sovereigns of gold and a cash of Rs.30,000/- and house hold articles to the value of Rs.50,000/- were given by her parents. During her matrimonial life, she was harassed by A1 to A5 by demanding more dowry. Moreover, A1 had illicit relationship with A6 and when it was questioned, A1 to A6 joined together and threatened her with dire consequences.

3.When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the 1st respondent submitted that in this case, before the trial court 4 witnesses were examined as LW1 to LW4 and now the case is posted for the examination of the remaining witnesses.



4. The above said fact is not disputed by the learned counsel appearing for the petitioner as well as the learned counsel appearing for the 2nd respondent. The learned counsel appearing for the petitioner submitted that suitable direction may be given to the trial court to dispose of the case within a short space of time.

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5. In view of the above fact, this criminal original petition is disposed of with a direction to the trial court namely the Judicial Magistrate, Srivaikundam, Thoothukudi District, to post the case in CC No.87 of 2017 on day today basis and dispose of the same purely on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To,

1. The Judicial Magistrate,
Srivaikundam, Thoothukudi District.

2. The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District

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

Copy to

The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.

Cr1.OP(MD)No.9828 of 2017
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SRK(CO)
KB(11.01.2021) 2P 5C