

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.21162 of 2020

Kavitha

...Petitioner

Vs.

The State represented by
the Inspector of Police,
All Women Police Station,
Coimbatore (East),
Coimbatore City
(Crime No.2 of 2019)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the trial court to send summons to the petitioner's husband P.Manikandan (A.1) through the respondent/Police via Electronic Devices as listed out hereinabove in the matter of C.C.No.1714/2020, pending on the file of learned Additional Mahila Court (Magisterial Level), Coimbatore.

For Petitioner : Mr.G.Anbuchezeheian
For Respondent : Mr.M. Mohamed Riyaz
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the Court below to issue summons to A1 and to complete the proceedings expeditiously in C.C.No.1714 of 2020.

2. It is seen from records that the petitioner is the defacto complainant and based on the complaint given by her, an FIR came to be registered by the respondent Police in Crime No.2 of 2019 which ultimately culminated in filing of the final report before the Court below.

3. The Court below has also taken cognizance of the final report in C.C.No.1714 of 2020. The grievance of the petitioner is that no effective steps have been taken to serve the summons

on the husband of the petitioner who has been arrayed as A1 in the proceedings. Hence this petition has been filed seeking for appropriate directions.

4. The learned Addl. Public Prosecutor appearing on behalf of the respondents submitted that there are totally three accused persons in this case. The learned Addl. Public Prosecutor further submitted that A1 is living abroad and hence the respondent has already taken steps to issue lookout notice against A1 and effective steps are being taken to secure him and produce before the Court. He further submitted that summons has been served on A2 and A3 and the case is posted for further hearing on 29.1.2021.

5. In the considered view of this Court, the respondent Police has taken necessary steps to secure the presence of A1 who is said to be living abroad by issuing the lookout notice. The respondents shall take all steps to secure A1 to ensure his presence before the Court below and for the expeditious completion of the criminal case.

6. This Criminal Original Petition is disposed of accordingly.

Sd/--
Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

msr

To

1. The Additional Judge,
Additional Mahil Court (Magisterial level 0,
Coimbatore.

2. The Inspector of Police,
All Women Police Station,
Coimbatore (East),
Coimbatore City

3. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr. G. Anbucheziyan, Advocate, SR.No.340

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SV (CO)
KKV/03/02/2021