



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO.8238 OF 2017 AND
CRL.M.P.NOS.5909 AND 5910 OF 2017

1.S.Vanitha
2.V.Vasanth
3.R.Vadivelu

. . . Petitioners

Versus

1.The State Represented By,
The Inspector of Police,
Vellore Police Station,
Vellore Taluk,
Vellore District.
(In Cr.No.110 of 2016)

2.A.Mahalakshmi

. . . Respondents

(2nd Respondent is impleaded as per the order of this Hon'ble court dated 25.07.2017 made in MP.No.9278 of 2017 in CRL.OP.No.8238/2017)

PRAYER :

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating in C.C.No.7 of 2017, on the file of the Judicial Magistrate Court No.1, Vellore and quash the same.

For Petitioners: Mr.S.G.Ramesh Cumar

For Respondents: Mr.S.Vinoth Kumar
Govt. Advocate (Crl.Side) for R1

: No appearance for R2

ORDER

This criminal original petition is filed to quash the proceedings in C.C.No.7 of 2017 on the file of the Judicial Magistrate Court No.1, Vellore, filed against the accused for the offence under Sections 147, 294bB and 506(ii) IPC.



2. The crux of the prosecution story is that the accused abused the de-facto complainant and also caused hurt, thereby committed an offence under Sections 323 and 506(ii) IPC. Though the factual aspects have been raised before this Court, all the materials collected by the prosecution indicate that there was physical violence said to have been caused on the injured and in such view of the matter, this Court is not inclined to quash the proceedings. However, considering the nature of dispute, which appears to be a family dispute, the personal appearance of the petitioners before the trial court is dispensed with. Now it is stated that the case has been transferred to the file of learned Judicial Magistrate No.IV, Vellore.

3. Accordingly, the criminal original petition is dismissed. Consequently, the connected criminal miscellaneous petitions are closed.

4. The personal appearance of the petitioners/accused before the trial Court (Judicial Magistrate No.IV, Vellore) is dispensed with, except for receipt of copies, answering the charges questioning under Section 313 Cr.P.C., or on any other date as may be required by the trial Court. It is very well open to the petitioners/accused to raise all their defence before the trial Court.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

psa/asr

To

1. The Judicial Magistrate Court No.1, Vellore
2. The Inspector of Police,
Vellore Police Station,
Vellore Taluk, Vellore District.
3. The Public Prosecutor,
High Court, Madras.

CrI. O.P. No.8238 of 2017

RLD(CO)
PM/29/12/2021