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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NOS.19963 & 4446 OF 2017

&

CRL.M.P.NOS.12043, 12044 & 3309 OF 2017

1. Senthil Kumar

2. Subha

... Petitioners in Crl.O.P.No.19963 of 2017

3. Lieutenant Colonel Selvanayagam Samsu

4. S.Saraswathi

... Petitioners in Crl.O.P.No.4446 of 2017

Vs

1. The State represented by
The Inspector of Police,
T14 Police Station Mangadu,
Mangadu,
Kancheepuram District.
(Crime No.991 of 2015)

2. A.Anitha

... Respondents in both the Crl.O.P.'s

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Criminal Procedure Code, to call for the records relating to crime No.991 of 2015 on the file of the Mangadu Police Station, Mangadu and quash the same.

For petitioners : Mr.S.Prabhu

For Respondents : R1 - Mr.R.Kishore Kumar,
Government Advocate
(Criminal Side)

R2 - Mr.A.M.Rahamath Ali



O R D E R

These petitions have been filed to quash the F.I.R. in Crime No.991 of 2015 on the file of Mangadu Police Station, Mangadu filed against the petitioners for the offences under Sections 294 (b), 493, 313 and 506 (i) of I.P.C.

2. The crux of the allegation is that A1 having moved with the defacto complainant for seven years and caused the miscarriage and thereafter other accused over phone threatened the defacto complainant.

3. Heard both sides. As far as the allegation against the A2 to A6 is concerned, they are in general nature and threat is made over phone. What is the nature of threat, which is in fact caused any apprehension to the life of the petitioner is silent. Except general allegations against A2 to A6, there is no serious allegation of alleged miscarriage etc., as against them. In such view of the matter, the prosecution shall proceed with investigation and if any materials are unearthed as against A1, file a report. As far as other accused are concerned, the prosecution very well has a discretion to file a negative report, if no offence is made out against them.

4. Accordingly, these Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

vrc / kbs

To

1. The Inspector of Police,
T14 Police Station Mangadu,
Mangadu, Kancheepuram District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.M.Rahamath Ali, Advocate, S.R.No.63220

CrI.O.P.Nos.19963 & 4446 of 2017 &
CrI.M.P.Nos.12043, 12044 & 3309 of 2017

PL(CO)

RLP(10/12/2021)