



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. Nos.22871 of 2018
and Crl.M.P.Nos. 12737 &12738 of 2018

1.Jayaprakash

2.Sudhakar

...Petitioners/Accused 1&2

Vs.

1.The Inspector of Police
Kallakurichi Police Station,
Kallakurichi,
Villupuram District.

...1st Respondent/Complainant

2.A.Nithyapriya

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to C.C.No.338 of 2017 pending on the file of Judicial Magistrate No.I, Kallakurichi and quash the same.

For Petitioners : Mr.R.Jayaprakash

For Respondents : Mr.R.Kishore Kumar
Govt.Advocate(crl.side) for R1

Mr.R.Sankarasubbu
for Mr.S.Sathish Kumar for R2

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to C.C.No.338 of 2017 pending on the file of Judicial Magistrate No.I, Kallakurichi and quash the same.

2. The crux of the allegation is that the accused has threatened the defacto complainant to withdraw all the FIRs filed against him, otherwise, she will face the serious consequences and also threatened her of throwing acid.



3.This Court has perused the entire materials available on record. The final report has already been filed and the statements of the witnesses also indicate that there are serious allegations against the petitioners. In such view of the matter, this Court is not inclined to quash the entire proceedings as against the petitioners at this stage. However, considering the nature of the dispute between husband and wife, the personal appearance of the petitioners before the trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or on any other date as may be required by the trial Court.

4.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

msv/nr

To

- 1.The Judicial Magistrate No.I,
Kallakurichi.
- 2.The Chief Judicial Magistrate,
Villupuram.
- 3.The Inspector of Police
Kallakurichi Police Station,
Kallakurichi,
Villupuram District.
- 4.The Public Prosecutor,
High Court, Madras.

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GJ (CO)
PR (06/01/2022)