



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 15.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

CrI.O.P. (MD)No.1356 of 2021

and

CrI.M.P. (MD)Nos.650 and 651 of 2021

WEB COPY

Kalpana

... Petitioner

vs.

1.The State Represented by  
The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.  
(Crime No.226 of 2019)

2.Saravana Valli

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in PRC No.27 of 2019 on the file of the Judicial Magistrate, Vadipatti and quash the same.

For Petitioner : Mr.V.Kannan

For R1 : Mr.A.Robinson,  
Government Advocate (Criminal Side)

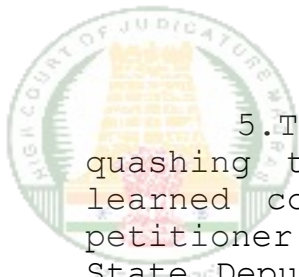
### O R D E R

This petition has been filed seeking to quash the proceedings in PRC No.27 of 2019 on the file of the Judicial Magistrate, Vadipatti.

2.Mr.V.Kannan, learned counsel appearing for the petitioner contended that since the petitioner is the wife of the first accused, who is also the State Deputy Secretary of Pattali Makkal Katchi, the petitioner was falsely implicated in Crime No.226 of 2019, by the Inspector of Police, Samayanallur Police Station.

3.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the first respondent, on instructions, would contend that the police had investigated the case properly and a perusal of Section 161(3) of the Code of Criminal Procedure statement would clearly show that the petitioner is involved in the commission of the offences. Therefore, he prayed for dismissal of the present petition.

4.The petitioner is arraigned as accused No.7 in P.R.C.No.27 of 2019 and the offences alleged against her are Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of the Indian Penal Code. The final report *prima facie* shows the commission of the aforesaid offences by the present petitioner/ Accused No.7.



5.Though several grounds are raised by the petitioner for quashing the P.R.C.No.27 of 2019, the only ground urged by the learned counsel appearing for the petitioner is that since the petitioner happens to be the wife of the first accused, who is the State Deputy Secretary Pattali Makkal Katchi, she has been falsely implicated in the above said case. On this ground, the entire proceedings in PRC No.27 of 2019 cannot be quashed.

6.In the circumstances, the present petition is dismissed. The learned Judicial Magistrate, Vadipatti, is directed to commit the PRC No.27 of 2019 to the Court of sessions, within a period of two weeks from the date of receipt of a copy of this order/uploading of the order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

*sjj*

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate, Vadipatti.

2.The Inspector of Police,  
Samayanallur Police Station,  
Madurai 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.

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