



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P. (MD)No.2154 of 2021

and

Crl.M.P (MD) .Nos.1050 and 1051 of 2021

1.A.Sangeetha

2.Duraikumar ... Petitioners/Accused Nos. 4 & 5
Vs.

1.The Inspector of Police,
All Women Police Station,
Thanjavur District. ... Respondent No.1 /Complainant
(Crime No.5 of 2019)

2.Sumathi ... Respondent No.2/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the charge sheet in CC.No.67 of 2020 on the file of the learned Additional Mahila Court (Magistrate Level), Thanjavur District in Crime No.5 of 2019 dated 12.11.2019 and quash the same as illegal as against the petitioners alone.

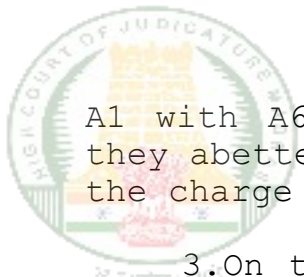
For Petitioner : Mr.S.Rajasekar
for Mr.T. Lajapathi Roy

For Respondent No.1 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure to quash the charge sheet in CC.No.67 of 2020 on the file of the learned Additional Mahila Court (Magistrate Level), Thanjavur District in Crime No.5 of 2019 dated 12.11.2019.

2.On the side of the petitioners it is stated that the first petitioner is the sister-in-law of the defacto complainant. The second petitioner is the husband of the first petitioner. Both of them are residing in Singapore from the year 2011. The second petitioner did not attend the marriage of A1 with the defacto complainant and both of them are not aware of the second marriage of



A1 with A6. The only allegation against the petitioners is that they abetted the second marriage of A1. Hence, they prayed to quash the charge sheet against them.

3.On the side of the respondents it is stated that the accused 2 to 5 abetted the second marriage of A1 and A6 and there is no necessity to quash the charge sheet merely because the petitioners are residing in Singapore.

4.Whether the allegations against the petitioners are true or not cannot be decided at this stage and the grounds raised in this petition can be decided into only in a full-fledged trial. Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings in CC.No.67 of 2020 on the file of the learned Additional Mahila Court (Magistrate Level), Thanjavur District. Since the petitioners are residing at Singapore, the personal appearance of the petitioners before the trial Court is dispensed with. However, the petitioners can appear in person or through power agent at the time of questioning.

5.With the above directions, the Criminal Original petition is closed. Consequently, connected Crl.M.P(MD).No.1050 of 2021 is also closed.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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 Additional Mahila Court (Magistrate Level),
Thanjavur District.

2.The Inspector of Police,
All Women Police Station,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-4824[F] dated
12/02/2021)

Crl.O.P.(MD)No.2154 of 2021
11.02.2021

VB (26.02.2021) 3P 5C