



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R.THARANI

Crl.O.P.(MD)No.2858 of 2021

and

Crl.M.P(MD).No.1522 of 2021

Rani

... Petitioner/A5

Vs.

1.The State rep. by
The Inspector of Police,
All Women Police Station,
Nagerkovil, Kanyakumari District.
(Crime No.10 of 2010)

...1st Respondent/
Complainant

2.Mrs.Nancy Reenaa

...2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and quash the charge sheet in CC.No.8 of 2018 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Nagerkovil, Kanyakumari District as against the petitioner herein.

For Petitioner : Mr.R.Ilayaraja

For Respondent No.1 : Mr.A.Robinson

Government Advocate (Criminal side)

ORDER

This petition is filed to quash the charge sheet in CC.No.8 of 2018 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Nagerkovil, Kanyakumari District.

2.On the side of the petitioner, it is stated that the petitioner is A5 in the case and an alleged offence is dowry demand. A1 is the husband of the defacto complainant. A2 and A3 are in-laws. A5 is the neighbor. The petitioner is no way connected with the case and he is only a distance relative of A1. The case against A1 was quashed in Crl.O.P(MD).No.2351 of 2019, dated 21.10.2019. Hence, prayed for quashing the case against this petitioner.



3. On the side of the respondents it is stated that A2, A3 and A4 faced the trial and they were acquitted. The case against A5 was split up by the trial Court and the petition filed by A1 to quash the case against him was already allowed by this Court.

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4. It is seen that the case was registered against five persons, out of them, A2 to A4 faced trial and they were acquitted. Subsequently, A1 filed a petition in Crl.O.p(MD). No.2351 of 2019 for quashing the case against him and the same was allowed by this Court on 21.10.2019. It is seen that the petitioner is A5 and he is a distant relative of A1. The case of the main accused A1 was already quashed by this Court. The case against A2 to A4 ended into acquittal. In the above situation, this Court quash the case against the petitioner in CC.No.8 of 2018 pending before the learned Judicial Magistrate cum Additional Mahila Court, Nagercoil. Accordingly, the Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// 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 Judicial Magistrate cum Additional Mahila Court,
Nagerkovil, Kanyakumari District.
2. The Inspector of Police,
All Women Police Station,
Nagerkovil, Kanyakumari District.



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

+1 CC to MR.R.ILAYARAJA, Advocate (SR-7166[F] dated 25/02/2021)

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Crl.O.P.(MD)No.2858 of 2021
24.02.2021

KM (10.03.2021) 3P 5C