



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

CRL.O.P. (MD) .No.3604 of 2019

and

CRL.MP. (MD) Nos.2081 and 2082 of 2019

WEB COPY

1.Venkateshwaran
2.Sagunthala
3.Thanalakshmi
4.Perarasu : Petitioners/Accused Nos.1, 4 to 6

Vs.

1.The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
Crime No.25 of 2016. :1st Respondent /Complainant

2.Dr.K.S.Kanmani : Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records in C.C.No.415 of 2018 on the file of the Principal District Munsif cum Judicial Magistrate Court, Karaikudi and quash the same with regard to the petitioners.

For Petitioners : Mr.V.Karuna
For Respondents : Mr.R.Sivakumar,
Government Advocate
(Criminal Side) for R1.
: Mr.Nihil Nanda,
for Mr.B.Saravanan, for R2.

ORDER

The Criminal Original Petition is filed seeking orders to quash the case in C.C.No.415 of 2018 pending on the file of the Principal District Munsif cum Judicial Magistrate Court, Karaikudi with regard to the petitioners /Accused Nos.1, 4 to 6.

2.Admittedly, the marriage between the first petitioner and the second respondent was solemnized on 04.11.2005 and due to wedlock, they were blessed with three children, out of which, two children are mentally challenged children. Subsequent to the complaint lodged by the second respondent, FIR came to be registered in Crime No.25 of 2016 and after investigation, charge sheet has been laid for the offence under Sections 494 and 120(B) IPC and the case was taken on file in C.C.No.415 of 2018 on the



file of the Principal District Munsif, Karaikudi and the same is pending.

3.It is not in dispute that on the basis of the complaint lodged by the second respondent, another case in Crime No.10 of 2014 came to be registered against the petitioners 1 and 2 and after trial in C.C.No.253 of 2014, the case in Crime No.25 of 2016 was ended in acquittal.

4.When the matter is taken up for hearing today (i.e.14.12.2021), the learned counsel for the petitioners would submit that it would be suffice, if the learned Magistrate is directed to dispose of the case within a time limit to be fixed by this Court, for which, the learned counsel for the second respondent has not raised any objection.

5.Considering the submission made on behalf of both sides and also taking note of the limited prayer now sought for by the learned counsel for the petitioners and without expressing any view with regard to the merits of the case, the learned Principal District Munsif cum Judicial Magistrate Court, Karaikudi is directed to dispose of the case in C.C.No.415 of 2018 as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order.

6.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

das

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 Principal District Munsif cum Judicial Magistrate,
Karaikudi.



2. The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai 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.

+1 CC to M/s.V.KARUNA, Advocate (SR-38758[F] dated 15/12/2021)

+1 CC to M/s.B.SARAVANAN, Advocate (SR-38887[F] dated 15/12/2021)

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DKS (CO)

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