



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.14706 of 2021

and

Crl.M.P. (MD)No.7768 of 2021

S.Gomathi ... Petitioner/ 2nd Accused

Vs.

1.The Inspector of Police,
All Women Police Station,
Theni,
Theni District. ... 1st Respondent/Complainant

2.Uma ... 2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to Charge Sheet in C.C.No.16 of 2021 dated 11.03.2020 on the file of the Additional Mahila Court (J.M.Level), Theni insofar as the petitioner is concerned and quash the same.

For Petitioner : Mr.M.Jerin Mathew

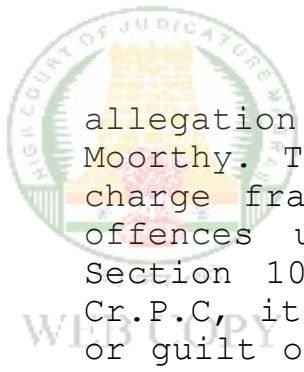
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1

Mr.V.Sukumar for R2

ORDER

This Criminal Original Petition has been filed to quash the impugned proceedings in C.C.No.16 of 2021 on the file of Additional Mahila Court (J.M.Level), Theni.

2. The defacto complainant is one, Uma. Uma was married to Sathya Moorthy. The marriage is very much in subsistence. It has not been dissolved in the manner known to law. At this stage, the



allegation is that the petitioner herein got married to Sathya Moorthy. Therefore, the impugned prosecution was initiated. The charge framed against the petitioner is only in respect of the offences under Section 4 of Dowry Prohibition Act read with Section 109 IPC. In exercise of jurisdiction under Section 482 Cr.P.C, it would not be possible for me to go into the innocence or guilt of the petitioner herein. Leaving open the petitioner's defences and contentions, this Criminal Original Petition is dismissed. The personal appearance of the petitioner before the Court below is dispensed with. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga

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. Additional Mahila Court (J.M.Level), Theni.

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

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

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-38015[F] dated 09/12/2021)

+1 CC to M/s.V.SUKUMAR, Advocate (SR-38252[F] dated 10/12/2021)

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and

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