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CrI.O.P.No.2988 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

CrI.O.P.No.2988 of 2021

Nandhini

... Petitioner

Vs.

1.State Rep by:

The Inspector of Police,
J6. Thiruvanmiyur Police Station,
Adyar, Chennai,
FIR No.813 of 2019.

2.Mr.Manikandan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the case in C.C.No.1914 of 2020 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr.A.Praveen kumar

For Respondents : Mr.A.Damodaran,

Additional Public Prosecutor for R1

: Mr.S.Vijayakumar for R2



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ORDER

WEB COPY This Criminal Original Petition has been preferred to call for the records and quash the case in C.C.No.1914 of 2020 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

2. Heard Mr.A.Praveen kumar, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the first respondent and Mr.S.Vijayakumar, learned counsel for the second respondent.

3. This is a case of job racketing registered against the accused on the complaint given by the second respondent / defacto complainant.

4. The case of the prosecution is that on the assurance given by the first accused to secure job in the any Government School or Government Aided School, the defacto complainant had given a total sum of Rs.16,18,500/- on various dates. As assured, the first accused did not secure any job or return the money to the defacto complainant. When the defacto complainant along with his wife went to the house of the first accused and demanded to give the money back, the first accused and his wife / petitioner herein had threatened



them that if they demanded money, the second accused would commit self-immolation.

5. The learned counsel for the petitioner submitted that there is no material available on record to make out a case against the petitioner / second accused; the allegation that has been made against the second accused that she had threatened the defacto complainant that she would commit self-immolation, if they demanded the money back.

6. The learned counsel for the second respondent submitted that a discharge petition has been filed by the petitioner in C.M.P.No.14826 of 2021 and the same was dismissed on 03.09.2022.

7. It is reliably learnt that the said order was not challenged by the petitioner or her husband. Since there are allegations made against the petitioner / second accused also that she had threatened and abused the defacto complainant when he came to their house for demanding the money back, it cannot be said that the second accused has got nothing to do with the allegations made by the defacto complainant. It is reliably learnt that the Trial



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Court has framed charges and trial is also going to commence shortly. Under such circumstances, I feel that it is not the matter which is lacking in *prima facie* materials to make out a case against the petitioner. Since sufficient materials are available on record and on that basis, charges have also been framed, this Court do not find any reason for interference.

8. In the result, this Criminal Original Petition is dismissed.

Index: Yes/No
Speaking / Non Speaking Order
gsk

10.10.2022



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To

- 1.XVIII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
J6. Thiruvanmiyur Police Station,
Adyar, Chennai,
- 3.The Public Prosecutor,
High Court of Madras.



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R.N.MANJULA, J.

gsk

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