



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Criminal Original Petition No.6967 of 2022

R.Rangasamy

...Petitioner / 1st Accused

Vs

1. The State
rep. By The Deputy Superintendent of Police
Tiruvannamalai Town Sub-Division
Tiruvannamalai.

2. C. Palanisamy ...Respondents /
Complainant / Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to C.C.No.148 of 2018 pending on the file of the Judicial Magistrate No.1, Tiruvannamalai and quash the same.

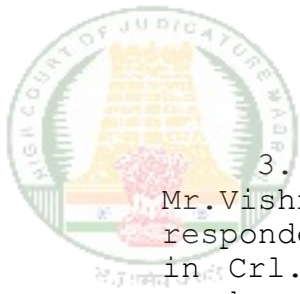
For Petitioner ... Mr.K.Samidurai

For Respondents... Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R.1.
Mr.Vishnumohan
for R.2.

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.148 of 2018, pending on the file of the learned Judicial Magistrate No.1, Tiruvannamalai.

2. Heard Mr.K.Samidurai, learned counsel for the petitioner, Mr.A.Gokulakrishnan, Additional Public Prosecutor for the first respondent and Mr.Vishnumohan, learned counsel for the second respondent.



3. Today, when the matter is taken up for hearing, Mr. Vishnumohan, learned counsel appearing for the second respondent produced a copy of the order, dated 12/11/2021, made in CrI.O.P.No.19461 of 2017, wherein, this Court has heavily condemned the conduct of the petitioner's wife and dismissed the similar petition filed for quashing C.C.No.456 of 2012, by imposing the cost of Rs.5,000/- payable to the District Legal Centre, Thiruvannamalai, within fifteen days from the date of receipt of a copy of the said order and directed the trial Court to expedite the trial and complete the same within a period of six months from the date of receipt of a copy of the order, dated 12/11/2021.

4. On a perusal of the order, dated 12/11/2021, instant Criminal Original Petition filed by the petitioner is nothing but an abuse of process of law for the simple reason that suppressing the filing of CrI.O.P.No.19461 of 2017 and M.P.Nos.11763 and 11764 of 2017, by the husband, who was arrayed as the first accused has filed this instant Criminal Original Petition before this Court and obtained interim stay.

5. Accordingly this Criminal Original Petition is dismissed with cost of Rs.10,000/- (Rupees Ten thousand only) payable to the District Legal Centre, Thiruvannamalai, within fifteen days from the date of receipt of a copy of this order. The trial Court shall expedite the trial and dispose of the same, preferably within a period of six months from today. It is to be noted that the trial Court should ensure that the cost has been recovered. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Judicial Magistrate No.1,
Tiruvannamalai.
2. The Chief Judicial Magistrate,
Tiruvannamalai.



3. The Deputy Superintendent of Police
Tiruvannamalai Town Sub-Division
Tiruvannamalai.

4. The Member Secretary,
District Legal Centre,
Tiruvannamalai.

5. The Public Prosecutor
High Court, Madras.

+1cc to Mr.K.Balaji, Advocate, S.R.No.38337

Cr1. O.P. No. 6967 of 2022

SSI[co]
NSK/05/07/2022