



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.17409 of 2019
and
CrI.M.P.No.8774 of 2019

Dr.Chandira

...Petitioner/Accused

Vs.

1. The State
Rep.by Inspector of Police
Mettur Police Station
Mettur Taluk
Salem District.

2. The Chief Medical Officer
Government Hospital
Mettur Taluk
Salem District.

...Respondents

PRAYER: Criminal Original Petition had been filed under Section 482 of Cr.P.C, praying to call for the records pertaining to Crime No.145 of 2018 on the file of the first Respondent and quash the same as illegal, incompetent and abuse of process by allowing the present Criminal Original Petition.

For Petitioner : Mr.Inbamaran for
Mr.T.N.Rangesh Kanna

For Respondents: Mr.S.Vinothkumar for R1
Government Advocate (CrI.Side)

: No Appearance for R2

ORDER

This petition had been filed to call for the records pertaining to Crime No.145 of 2018 on the file of the first Respondent and quash the same as illegal, incompetent and abuse of process by allowing the present Criminal Original Petition.

2. When the case came up for hearing on 18.04.2022, the learned Counsel representing the Counsel on record for the Petitioner submitted that this petition had become infructuous.



3. On query to the learned Government Advocate (Crl.Side) appearing for the first Respondent Police, he sought time to clarify the same. Therefore, this Court had sought remarks from the learned Judicial Magistrate No.I, Mettur, Salem District, regarding the complaint lodged by the appropriate Authority under the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and Medical Termination of Pregnancy Act, 1971. The learned Judicial Magistrate No.I, Mettur, Salem District, had offered her remarks and as per the remarks, the First Information Report was pending, as such at the same time, the Competent Authority under the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, has filed a criminal complaint and the same is also pending. On the basis of the remarks offered by the learned Judicial Magistrate No.I, Mettur, Salem District, the prayer sought for in this petition had become infructuous. Hence, this petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Judicial Magistrate No.I,
Mettur, Salem District.
2. The Inspector of Police
Mettur Police Station
Mettur Taluk
Salem District.
3. The Chief Medical Officer
Government Hospital,
Mettur Taluk, Salem District.
4. The Public Prosecutor
High Court, Madras.

Crl.O.P.No.17409 of 2019
and
Crl.M.P.No.8774 of 2019

GSM(CO)
RGA(30/05/2022)