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CrI.OP.No.27477 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2022

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

CrI.OP.No.27477 of 2022

and

CrI.MP.Nos.16922 & 16923 of 2022

1.Dhanalakshmi

2.Kolanji

3.Kuzhazhi

...

Petitioners/Accused 1to 3

/vs/

Tamilarasi

...

respondent /defacto complainant

Prayer : Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to call for summon pertaining to the C.C.No.139/2022 pending on the file of the Judicial Magistrate, Jeyakondam and quash the same.

For Petitioners : Mr.S.Muthukrishnan

ORDER

This Criminal Original Petition has been field to call for summon pertaining to the C.C.No.139/2022 pending on the file of the Judicial Magistrate, Jeyakondam and quash the same.



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2. The petitioners are the accused 1 and 3 in the private complaint given by the respondent in CC.No.139 of 2022 on the file of the learned Judicial Magistrate, Jayangkondam.

3. The learned counsel for the petitioners submitted that there are no *prima facie* grounds against the petitioners to take up the case. It is further submitted that the occurrence is said to have been taken place at Ariyalur, but the respondent is a resident of Thanjavur.

4. According to the respondent's private complaint, the accused 1-3 have trespassed into her house on October 18, 2020, abused her in a filthy language and also assaulted her. In respect of the above allegations, she has also produced the wound certificate. Only after perusing the materials available on record, the learned Magistrate has taken the case on file.

5. Since the respondent produced the *prima facie* materials, like a wound certificate, along with her statement. The case has been rightly taken on record. The petitioners are at liberty to contest the case by taking up all the points now made before this Court, as their defense. Since the case is not devoid of *prima*



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facie materials, the proceedings shall go on.

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Accordingly, this Criminal Original Petition stands **dismissed**.

Consequently, connected miscellaneous petitions are closed.

10.11.2022

jrs

Internet: Yes/No

Index: Yes /No

Speaking /Non Speaking

To

1. The Judicial Magistrate, Jeyakondam.



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R.N.MANJULA,J.

jrs

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