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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:09.03.2022

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.29469 of 2019

and

Crl.M.P.Nos.15899 and 15900 of 2019

1.Kalaiselvi

2.Poongan @ Poongavanam

3.P.Annakili

.. Petitioners/Accused No.2 to 4

/versus/

1.The Inspector of Police,
AWPS, Villupuram.

(Cr.No.09/2018)

... Respondent/Complainant

2.I.Krishnapriya

...2nd Respondent/defacto
Complainant

Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.238 of 2019 on the file of the Judicial Magistrate-I, Villupuram and quash the same.

For Petitioners :M/s Thangavadhanabalakrishnan

For Respondents :Mr.S.Santhosh
Government Advocate (Crl.Side)
for R1
Mr.D.Sreenivasan for R2

O R D E R

This petition is to quash the criminal complaint against the petitioners for facing trial for the offence under Sections 498 (A), 352 of IPC and Section 4 of Dowry Prohibition Act in Crime No. 9 of 2018.

2.The learned counsel appearing for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case and no materials have been collected by the Investigating Agency against these petitioners.



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3.The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that on examination of witnesses, the material collected indicates that the petitioners along with the first accused, who is the husband of the defacto complainant has subjected the defacto complainant demanding dowry harassment and her properties were returned to the defacto complainant only after much pressurization. He also submitted that even according to her own admission, the 2nd accused was initially subject matter of the cruelty to the defacto complainant only after initiation of coercive measures on 14.04.2017. As far as the overt act of the each of the petitioners, the statement of the witnesses were differed.

4.Based on the complaint given by the defacto complainant, a case in Crime No.12 of 2017 by the All Women Police Station Avadi. Later it was transferred to the All Women Police Station, Villupuram in Crime No.9 of 2018.

5.After going through the records, this Court finds that it is not a fit case to quash the C.C.No.238 of 2019 pending on the file of the Judicial Magistrate No.1, Villupuram and the petitioners are bound to prove their innocence in the trial.

6.However, taking note of the fact that this matter is pending for more than three years, it is suffice to direct the Judicial Magistrate No.1, Villupuram to complete the proceedings within a period of four months from the date of receipt of a copy of this order. Provided the accused shall co-operate for speedy disposal.

7.Accordingly, this Criminal Original Petition is disposed of. Consequently, Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IX)

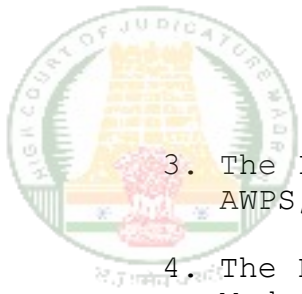
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Sub Assistant Registrar

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To:

1. The Judicial Magistrate No.1,
Villupuram.
2. -do thro The Chief Judicial Magistrate,
Villupuram.



3. The Inspector of Police,
AWPS, Villupuram.

4. The Public Prosecutor
Madras High Court
Chennai.

+1cc to Mr.D.Sreenivasan, Advocate, S.R.No.16640

Crl.O.P.No.29469 of 2019 and
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MT (CO)
CT 23/03/2022