



Crl.R.C(MD) No.832 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.R.C(MD)No.832 of 2022

Subbulakshmi

... Revision Petitioner

Vs.

The Inspector of Police,
All Women Police Station,
Thoothukudi,
Thoothukudi District

... Respondent

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records and set aside the order dated 20.07.2022 passed in Cr.M.P.No.7778 of 2021 in C.C.No.74 of 2021 on the file of the learned Judicial Magistrate No.IV (FAC), Thoothukudi, Thoothukudi District.

For Petitioner : Mr.M.Suri

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

This Criminal Revision Case is directed against the order passed by the learned Judicial Magistrate No.IV (FAC), Thoothukudi, Thoothukudi District in Cr.M.P.No.7778 of 2021 in C.C.No.74 of 2021 dated 20.07.2022.

2. The case of the prosecution is that marriage between the petitioner's son, namely, Sivaneswaran and the defacto complainant Sujitha was solemnized on 15.02.2019 and at the time of marriage 40 sovereign of gold jewels and other Sridhana articles were presented. Thereafter, the at the instigation of the petitioner, the first accused treated the defacto complainant with cruelty and the first accused had evaded the defacto complainant and had not even visited to see the new born child.

3. The learned counsel for the petitioner submitted that petitioner is the mother of the first accused and the mother-in-law of the defacto complainant. He would further submit that the defacto complainant has not raised any serious allegation against the petitioner and that the allegations levelled against the petitioner are general and omnibus in nature.



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4.The learned Additional Public Prosecutor appearing for the respondent police submitted that a specific allegation attributed against the petitioner that at the instigation of the petitioner, first accused treated the defacto complainant with cruelty and also abused her. He would further submit that the first accused had avoided the defacto complainant and had not even visited to see the newly born child.

5. After hearing both sides, this Court is not inclined to interfere with the order passed by the learned Judicial Magistrate No.IV (FAC), Thoothukudi, Thoothukudi District in Cr.M.P.No.7778 of 2021 in C.C.No.74 of 2021 dated 20.07.2022.

6. On perusal of records shows that the petitioner is the mother of the first accused and the mother-in-law of the defacto complainant. On 02.08.2019, the first accused attacked the defacto complainant, at the instigation of the petitioner, thereafter, she was driven out of the house and went to her parental home. It appears that it is a domestic quarrel between the mother-in-law and the defacto complainant. Therefore, the petitioner can workout the possibility of settlement



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and no valid ground is made out by the petitioner to discharge the petitioner from the criminal prosecution.

7. In view of the above, this Court does not find any merits in the revision and does not find any illegality or infirmity in the order passed by the trial Court. Therefore, this revision is liable to be dismissed.

In the result, the Revision Petition is dismissed.

20.09.2022

Index : Yes/No
Internet : Yes/No
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To:-

1. The Inspector of Police,
All Women Police Station,
Thoothukudi,
Thoothukudi District.
2. The learned Judicial Magistrate No.IV (FAC),
Thoothukudi, Thoothukudi District.



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G.ILANGOVA,N,J

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ORDER MADE IN
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