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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.17079 of 2023
and Crl.M.P Nos.10972 and 10973 of 2023

Simon Aravinth Singh, M/A-31 years
S/o.James Tensingh

...Petitioner/Sole Accused

Vs.

1.State rep.by

The Inspector of Police
All Women Police Station
Chengalpet.
(Crime No.11/2019)

...1st Respondent/Complainant

2.Padmavathi, F/A-37 years
D/o.lyyanar

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in SC.No.38 of 2021, on the file of the Additional Mahila Court, Chengalpattu.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.A.Gopinath
Government Advocate



ORDER

This petition has been filed seeking to quash the proceedings in SC.No.38 of 2021, on the file of the Additional Mahila Court, Chengalpattu.

2.The learned counsel for the petitioner submitted that the petitioner had married the 2nd respondent and to substantiate the same, the learned counsel also brought to the notice of the Court the marriage certificate dated 13.11.2020. The 2nd respondent was present in person and she categorically stated that she wants to prosecute the case against the petitioner.

3. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law.

This Court is not inclined to interfere with the proceedings pending



before the Court below.

4. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in SC.No.38 of 2021, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

31.07.2023

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

KP

To

1.The Inspector of Police
All Women Police Station
Chengalpet.

2. Additional Mahila Court
Chengalpattu.

3. The Public Prosecutor,
High Court, Madras.



WEB COPY



N.ANAND VENKATESH.J.,

KP

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