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Crl.OP.No.21179 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21179 of 2023

and

Crl.M.P.Nos.14549 and 14550 of 2023

C.Jeyananthini,
W/o.P.Chandrakumar @ Siranjivi Master

... Petitioner

Vs.

1. State rep by
The Inspector of police,
T-12, Poonnamallee Police Station,
Poonnamallee, Chennai.

2. Mr.A.Rajendran ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.27 of 2014 on the file of the Judicial Magistrate II, Poonamallee, Chennai and quash the same.

For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the proceedings in C.C.No.27 of 2014 on the file of the Judicial Magistrate II, Poonamallee, Chennai.

2. The case of the prosecution is that the petitioner sat on a hunger strike from 27.03.2013 to 28.03.2013 demanding for the release of her husband from the special camp. Based on the complaint given by the second respondent, a First Information Report came to be registered against the petitioner in Crime No.783 of 2013 for offence u/s.309 IPC. The first respondent proceeded further with the investigation and final report was filed before the Court below and the Court below took cognizance of the final report for offence u/s.309 IPC. Aggrieved by the same, the present quash petition has been filed before this Court.

3. Heard Ms.S.Nadhiya, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.



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4. In the instant case, the petitioner had showed her protest for releasing her husband from the special camp. Since the petitioner sat on a hunger strike, it was construed that the petitioner was attempting to commit suicide. In the considered view of this Court, even if the allegations made in the final report are taken as it is, the offence u/s.309 IPC has not been made out. This case is pending from the year 2014 onwards and hence, no useful purpose will be served in keeping the proceedings pending.

In the light of the above discussion, this Criminal Original Petition is allowed and the proceedings in C.C.No.27 of 2014 on the file of the Judicial Magistrate II, Poonamallee, Chennai, is hereby quashed. Consequently, connected miscellaneous petitions are closed.

25.09.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm



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N.ANAND VENKATESH, J.

gm

To

- 1.The Judicial Magistrate II,
Poonamallee, Chennai.
- 2.The Inspector of police,
T-12, Poonnamallee Police Station,
Poonnamallee, Chennai.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

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