



CrI.O.P.(MD)No.18578 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.18578 of 2023

and

CrI.M.P(MD) No.14654 and 14656 of 2023

1.Shastikumar

2.Ramalakshmi

3.Saravanakumar

... Petitioner / Accused No.1 to 3

Vs.

1.State Rep. by

The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.

(In Crime No.13 of 2020)

...1stRespondent / Complainant

2.Iswarya Bhargavi

...2nd Respondent / De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the Charge in C.C. No.33 of 2021 on the file of Judicial Magistrate, Additional Mahila Court, Ramanathapuram, Ramanathapuram District in connection with case in Crime No.13 of 2020 U/s.498(A), 294(B), 506(1) of IPC and



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Section 4 of Tamilnadu Prohibition of Harassment of Women Act 2002 and Section 4 of Dowry Prohibition Act, 1961, dated 14.09.2020 to quash the same as illegal as against the petitioners.

For Petitioner : Mr.D.Balamurugapandi

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the Charge in C.C. No.33 of 2021 on the file of Judicial Magistrate, Additional Mahila Court, Ramanathapuram, Ramanathapuram District in connection with case in Crime No.13 of 2020 U/s.498(A), 294(B), 506(1) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act 2002 and Section 4 of Dowry Prohibition Act, 1961, dated 14.09.2020 to quash the same as illegal as against the petitioners.

2. Even though this petition has been filed seeking quashment of C.C.No.33 of 2021 on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, the learned counsel for the



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petitioner restricted his prayer for dispensing the personal appearance of the petitioners. Apart from that he seeks direction to the concerned trial Court to expedite the trial process within the time stipulated.

3. It is the long pending issue between the husband and wife. Divorce was granted to them, against which, there was no further appeal. Further, it has been stated that the defacto complainnt got married to some other person, after the divorce.

4. Considering the above said facts and back grounds, personal appearance of the petitioners before the concerned trial Court is dispensed with on the following conditions;

(i) The petitioners shall appear before the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing their recent passport size photograph, to the effect that they will appear before the trial Court as and when required and must ensure their proper representation through Advocate.



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5. Now, the trial has been already started in C.C.No.33 of 2021.

Even though the learned Government Advocate (Crl.Side) would submit that out of seven witnesses, only four witnesses have been examined, the learned counsel for the petitioner would submit that cross examination is also over. Whatever it may be, let the trial process be completed within a period of three months from the date of receipt of copy of this order.

6. With the above said direction, this Criminal Original Petition is disposed of. Consequently, the petition in Cr.M.P(MD) No.14656 of 2023 is allowed and Crl.M.P(MD) No.14654 of 2023 is closed.

16.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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TO

- 1.The learned Judicial Magistrate,
Additional Mahila Court, Ramanathapuram.
- 2.State Rep. by
The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.
Indu

Order made in
Crl.O.P.(MD)No.18578 of 2023

Dated: 16.10.2023