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Crl.OP.No.7893 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.7893 of 2024

and

Crl.MP.Nos.5755 and 5757 of 2024

1. Arun Prasath
2. Sundari
3. Bhuvana
4. Subana
5. Shobana

... Petitioners

Vs.

1. State.rep by
The Inspector of Police,
All Women Police Station,
Cuddalore District.
(Crime No.8 of 2015)

2. Thenmozhi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records and quash the proceedings in C.C.No.408 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Cuddalore.

For Petitioner : Mr.T.Arul

For Respondent : K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

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The petition to quash the proceedings in C.C.No.408 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Cuddalore. He filed on premise that the FIR with the alleged occurrence during the month of February 2015, the case was registered on 19.06.2015 and thereafter, the final report was filed only after eight years i.e., in the year 2023 and the trial court has taken cognizance for the offences under Sections 498A, 506(i) of IPC and Section 4 of Dowry Prohibition Act.

2. The learned counsel appearing for the petitioner would submit that the punishment for all these three alleged offences is not exceeding by three years and therefore the complaint is barred by limitation. However, since the provisions of reckoning the limitations and the power to condone the delay for just reason would show that the trial Court has impliedly condone the delay if at all any in taking cognizance and has already been taken cognizance is that the law into motion by issuing summons to the witnesses for appearance on 28.04.2024. Therefore, this Court does not find any reason to entertain the petition for quash. However, taking note of the long pendency of the case and the



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nature of the offence, the learned Judicial Magistrate, Additional Mahila Court, Cuddalore is directed to expedite the trial and completed preferably within a period of four months from the date of receipt of a copy of this order. If any dispense with application for personal appearance is filed, the same may be taken note by the Judicial Magistrate, Additional Mahila Court, Cuddalore and pass appropriate orders in accordance with the facts and circumstances.

3. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

Vv

04.04.2024

To

1. The Judicial Magistrate,
Additional Mahila Court, Cuddalore
2. The Inspector of Police,
All Women Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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