



WEB COPY



Crl.OP.No.9373 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

**Crl.OP.No.9373 of 2024 and
Crl.MP.Nos.6525 and 6527 of 2024**

Rajalakshmi

... Petitioner

Vs.

1. State by

The Sub-Inspector of Police,
B-4, High Court Police Station,
Chennai 600 104.
(Cr.No.12 of 2023)

2. Kasi Viswanathan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the criminal proceeding in C.C.No.125/2024 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioner : Mr.P.M. Duraiswamy

For Respondents : Mr.S.Udayakumar for R1
Government Advocate (Crl.Side)

ORDER

The petitioner herein facing criminal prosecution for the offence under Sections 294(b), 506(i) and 355 of IPC alleging that there is no prima facie material to proceed against her, the present petition is filed.



Crl.OP.No.9373 of 2024

2. In fact, the criminal law has set into motion pursuant to the report by the court staff who was present when the occurrence took place. The petitioner herein has initiated divorce proceedings before the Family Court, been referred to mediator and in the course of mediation, she has slapped her husband with slipper and used filthy language. Thus, criminal law has set into motion. After completion of investigation and final report filed and taken cognizance.

3. The learned counsel for the petitioner states that the trial court ought not to have taken cognizance and the material placed by the prosecution is bereft of ingredients to attract the provisions under Sections 294(b), 506(i) and 355 of IPC. Further, on reading of 161 statement, this Court finds that there is sufficient material to proceed against the petitioner for the said offences.

4. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Index : Yes/No
Internet: Yes/No
gv

18.04.2024



Crl.OP.No.9373 of 2024

To
WEB COPY

1. The Sub-Inspector of Police,
B-4, High Court Police Station,
Chennai 600 104.
(Cr.No.12 of 2023)
2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl.OP.No.9373 of 2024

Dr.G.JAYACHANDRAN,J.

gv

**Crl.OP.No.9373 of 2024
and
Crl.MP.Nos.6525 and 6527 of 2024**

18.04.2024