



Crl.O.P.No.14651 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.14651 of 2023

and

Crl.M.P.Nos.9131, 9133 of 2023 and 11600 of 2024

1. Vipin Gopal
2. Vidhya Pillai
3. Gopala Krishna Pillai
4. Vasantha Pillai

... Petitioners

Vs.

1. State Rep.by
Inspector of Police,
Women Police Station – W 28,
Ambattur, M.T.H.Road,
Chennai – 600 053.

2. Vinitha Devi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.15 of 2023 pending on the file of the learned Judicial Magistrate, Ambattur and quash the same.

For Petitioners : Mr.S.Mukunth
Senior Counsel for
M/s.Sarvabhauman Associates

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor for R1
Mr.K.Azhagu Raman for R2



CrI.O.P.No.14651 of 2023

ORDER

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This Criminal Original Petition is filed to quash the charge sheet in C.C.No.15 of 2023 pending on the file of the learned Judicial Magistrate-II, Ambattur.

2. Learned counsel for the petitioners submitted that the first petitioner is the husband and other petitioners are in-laws of the second respondent/wife. Based on the complaint given by the second respondent/wife, a case was registered against the first petitioner under Sections 498-A and 506(i) IPC and Section 4 of Dowry Prohibition Act and charge sheet was filed in C.C.No.15 of 2023 on the file of the Judicial Magistrate-II, Ambattur against the petitioners 1 to 4 herein. He further submitted that there is no demand of dowry and there is also no harassment, and a false case has been foisted against the petitioners.

3. Heard the learned counsel on either side and perused the materials available on record.



Crl.O.P.No.14651 of 2023

4. On a perusal of the records and also statements recorded from the witnesses under Section 161(3) Cr.P.C., it is seen that, *prima-facie*, there are materials to show that there was demand of dowry and also the involvement of the petitioners.

5. Considering the facts and circumstances, this Court is not inclined to entertain this petition and hence, this Criminal Original Petition is dismissed, with the following directions :

(i) The petitioners are at liberty to take all their defences before the Court below during trial in C.C.No.15 of 2023.

(ii) The personal appearance of the petitioners 2 to 4 herein, who are the in-laws of the second respondent/wife, is hereby dispensed with. However, the petitioners 2 to 4 herein are directed to appear before the learned Magistrate concerned, as and when their appearance is required for.

(iii) The learned Judicial Magistrate No.II, Ambattur is directed to



CrI.O.P.No.14651 of 2023

expedite the trial on a day-to-day basis and dispose of the case within a period of three months from the date of receipt of a copy of this order.

(iv) Consequently, connected miscellaneous petitions are closed.

28.11.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Judicial Magistrate-II,
Ambattur.
2. The Inspector of Police,
Women Police Station –W.28,
Ambattur, M.T.H.Road,
Chennai – 600 053.
- 3.The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.14651 of 2023

P.VELMURUGAN, J

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CrI.O.P.No.14651 of 2023

28.11.2024