



Crl.O.P.No.17103 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.17103 of 2022

and

Crl.M.P.Nos.10361 & 10363 of 2022

R.Suguna

... Petitioner

Versus

1. State rep. by
Inspector of Police,
N-1 Royapuram Police Station,
Royapuram, Chennai-600 013.

2. N.Prabhu

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No. 107 of 2022 on the file of the XVI Metropolitan Magistrate, George Town, Chennai and quash the charge sheet as abuse of process of law.



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For Petitioners : Mr.E.Senthil Kumar
For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No. 107 of 2022 on the file of XVI Metropolitan Magistrate, George Town, Chennai.

2. Heard both sides.

3. The petitioner is arrayed as accused in the F.I.R. in Crime No.1590 of 2021 registered for the offence under Sec.341, 294(b), 506(i) of I.P.C. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.107 of 2022 on the file of XVI Metropolitan Magistrate, George Town, Chennai and the same is pending. Now, the petitioner had filed this petition praying to quash the said charge sheet.



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4. The learned counsel for petitioner would submit that there is no alleged occurrence was happened and she has been falsely implicated in this case by the 1st respondent police as per the complaint given by the 2nd respondent/defacto complainant. He would further submit that without any materials evidence, she was falsely prosecuted in this case. Hence, he prayed to quash the proceedings initiated against her.

5. By way of reply, the learned Government Advocate (Criminal side) appearing for 1st respondent would submit that already the trial was commenced and P.W.1 was also examined. Hence, he prayed to dismiss this petition.

6. Records perused. On perusal of records, it seems that in a similar matter, this Court by an order dated 20.07.2022 in Crl.O.P.No.16672 of 2022 dismissed the petition praying to quash a similar charge sheet initiated by the 1st respondent police against this petitioner in C.C.No.100 of 2022 based on the complaint given by the 2nd respondent herein. Now, the trial was commenced and P.W.1 was also examined. Therefore, any defence available to the petitioner, she is directed to putforth all her defence before the trial court and to work out



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her remedy. Hence, I do not find any irregularity in the charge sheet initiated against the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, in so far as Crl.M.P.No. 10363 of 2022 is concerned, the petitioner's personal appearance is ordered to be dispensed with and she shall appear before the trial court as and when required. The trial court is directed to complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order. Consequently, connected Criminal Miscellaneous Petition in Crl.M.P.No. 10361 of 2022 is closed.

11.03.2024

Index: Yes/No
Internet: Yes/No
rpp

To

1. Inspector of Police,
N-1 Royapuram Police Station,
Royapuram, Chennai-600 013.
2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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