



Crl.O.P.No.19314 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 18.03.2024

CORAM:

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

Crl.O.P.No.19314 of 2022

and

Crl.M.P.No. 12715 of 2022

Theerthammal

... Petitioner

Vs.

1. The State rep. by its  
Inspector of Police,  
AWPS, Dharmapuri

2. Ezhil Nangai

.. Respondents

**PRAYER :** Criminal Original Petition filed under Sec.482 of Criminal Procedure Code, to call for the records in C.C.No. 33 of 2021, which is pending before the Judicial Magistrate, Addl. Mahila Court, Dharmapuri and quash the same.



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For Petitioner : No appearance

For Respondents : Mr. S.Vinoth Kumar  
Govt. Advocate (CrI. Side) for R1

R2 – No appearance

### **ORDER**

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No.33 of 2021 on the file of Judicial Magistrate, Addl.Mahila Court, Dharmapuri.

2. Heard both sides.

3. The 1<sup>st</sup> respondent police registered a case against the petitioner and 4 others in Crime No.12 of 2019 on 15.11.2019 as per the direction of Judicial Magistrate, Dharmapuri under Sec.156(3) Cr.P.C. in CrI.M.P.No. 1216 of 2019 dated 22.04.2019 for an offence under Sec.498(A), 406, 506(i) of I.P.C. on the alleged occurrence taken place prior to 2017. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.33 of 2021 on the file of Judicial Magistrate, Addl. Mahila



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Court, Dharmapuri, and the same is pending. Now, the petitioner had filed this petition praying to quash the said charge sheet.

4. Today, when the matter taken up for hearing, the learned Government Advocate (Criminal side) appearing for 1<sup>st</sup> respondent would submit that already trial was begun, witnesses were also examined and the trial is going to be completed. Hence, he prayed to dismiss this petition.

5. On considering the submissions of learned Government Advocate stating that already the trial was begun, witnesses were examined and now the trial is going to be completed, and at this stage, this Court is not inclined to quash the proceedings initiated against the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to work out her remedy before the trial court. Consequently, connected Criminal Miscellaneous Petition is closed.

**18.03.2024**

rpp  
To

1. Inspector of Police, AWPS, Dharmapuri.
2. The Public Prosecutor, High Court, Madras.

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**T.V.THAMILSELVI, J.**

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