



WEB COPY



CrI.O.P.No.20755 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.20755 of 2024

and

CrI.M.P.Nos.11925 & 11927 of 2024

Vennila

... Petitioner

Vs.

1.State Rep.by
The Deputy Superintendent of Police,
Mayiladuthurai Sub Division,
Mayiladuthurai.

2.State Rep.by
the Sub Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthuai.

3.Sudha

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C.,
pleased to call for the records pertaining to the proceedings in Special
S.C.No.03 of 2023, on the file of the Principal District Judge,
Nagapattinam and quash the same, in so far as it relates to the petitioner.

For Petitioner : Mr.O.S.Thilak Pasumbadiyar

For R1 & R2 : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER



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WEB COURT

The petitioner herein, who is the 2nd accused in Spl.C.C.No.03 of 2023, on the file of the Principal District Judge, Nagapattinam, seeks quash of the complaint on the ground that the complaint of one Sudha with exaggerated facts and falsehood been taken up for investigation and final report filed as if her house was broken and valuables were taken away by the petitioner and others. It has also been falsely alleged that the petitioner and others had abused the defacto complainant by calling her community name. Without proper investigation, final report been filed before the Special Court leading to ordeal of criminal prosecution.

2. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that based on the complaint, proper investigation been conducted and final report filed. The Special Court has taken cognizance of the matter and trial is under way. Out of 18 witnesses, so far 12 witnesses were examined and the matter is posted to 30.08.2024 for examination of further PWs.

3. This Court, on considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent police, is of the opinion that the disputed



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facts canvassed in the quash petition while prosecution is in the process of marshalling the witnesses. Now it would be appropriate to direct the respondent police to marshal the remaining witnesses as expeditiously as possible and complete the trial, so as to enable the trial Court to appreciate the evidence and arrive at just decision. For the said purpose, this ***Criminal Original Petition is disposed of*** directing the respondent police to marshal the remaining witnesses within a period of three months and to complete the trial.

4. The learned counsel appearing for the petitioner states that the petitioner being the house wife, her personal appearance shall be dispensed with.

5. The personal appearance of the petitioner before the trial Court is dispensed except on hearing of her personal appearance for identification or questioning or any other purpose. Consequently, the connected CrI.M.P.No.11927 of 2024 is allowed and CrI.M.P.No.11925 is closed.

28.08.2024

Neutral Citation : Yes/No
rpl

Dr.G.JAYACHANDRAN,J.

rpl



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To
WEB COPY

- 1.The Principal District Judge, Nagapattinam.
- 2.The Deputy Superintendent of Police,
Mayiladuthurai Sub Division,
Mayiladuthurai.
- 3.The Sub Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.

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