



Crl.O.P.No.328 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM:

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

Crl.O.P.No.328 of 2022

and

Crl.M.P.Nos.113 & 114 of 2022

1. Thangaraj
2. Annapoorani
3. Ramakrishnan
4. Dhandapani
5. Pappammal
6. Ramasamy
7. Selvanayagam
8. Chitra

... Petitioners

Versus

1. State rep. by its
The Inspector of Police,
All Women Police Station (South),
Tiruppur.
(Crime No.7 of 2016)

2. Ashoka Devi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records culminating in the



Crl.O.P.No.328 of 2022

C.C.No. 484 of 2016 pending on the file of the learned Judicial Magistrate Additional Mahila at Tiruppur, quash the same.

For Petitioners : Mr.S.Bharanidharan for
Mr. B.Mohan
For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1
R2 – Service awaited

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No. 484 of 2016 on the file of learned Judicial Magistrate, Addl. Mahila Court, Tiruppur.

2. Heard both sides.

3. The 1st petitioner is husband of 2nd respondent/defacto complainant. The 2nd petitioner is her mother-in-law and 3rd petitioner is her father-in-law. The petitioners 4 to 8 are relatives of 1st petitioner. The petitioners have filed this petition praying to quash the charge sheet,



CrI.O.P.No.328 of 2022

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which was initiated by the 2nd respondent wife of 1st petitioner stating that based on a false complaint, they were dragged on with the proceedings and without any basic materials, they were charged under Sec.498(A) I.P.C. Hence, the petitioners prayed to quash the proceedings in C.C.No.484 of 2016.

4. By way of reply, the learned Government Advocate (Criminal side) appearing for 1st respondent would submit that by proper investigation, the final report was filed and as per the investigation, it reveals that the charges were made only against petitioners 1 and 2, who are husband and mother-in-law of 2nd respondent/defacto complainant. In respect of other petitioners viz., 3 to 8, there was no allegations proved against them.

5. Considering his submissions, the proceedings against the petitioners 3 to 8 is liable to be quashed as there is no basic materials levelled against them and in respect of petitioners 1 and 2, the trial court had initiated charge against them. Hence, at this stage, the proceedings



CrI.O.P.No.328 of 2022

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initiated against them cannot be quashed. Therefore, in respect of petitioners 1 and 2, this Court is not inclined to quash the proceedings against them in C.C.No.484 of 2016 and accordingly, this Criminal Original Petition is dismissed, however in respect of petitioners 3 to 8, this Court is inclined to quash the proceedings initiated against them in C.C.No.484 of 2016 and accordingly, this Criminal Original Petition is partly allowed. However, the trial court is directed to complete the trial and disposal the case as early as possible. Consequently, connected Criminal Miscellaneous Petitions are closed.

10.01.2024

Index: Yes/No

Internet: Yes/No

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To

1. The Inspector of Police,
All Women Police Station (South),
Tiruppur.
2. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.328 of 2022

T.V.THAMILSELVI, J.

rpp

CRL.O.P.No.328 of 2022

10.01.2024