



CrI.O.P.No.26137 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.26137 of 2024

and

CrI.M.P.Nos.14526 & 14529 of 2024

Gayathri

... Petitioner

Vs.

1.The State of Tamilnadu Rep by its,
The Inspector of Police
All Women Police Station East,
Puliyakulam,
Ramanathapuram, Coimbatore-45
Crime No: 14 of 2021

2.K.M.Sri Preethi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for the entire records comprised in C.C.No.1102 of 2023, pending against the Petitioner/Accused-4, pending on the file of the Learned Additional Mahila Court, at Coimbatore and quash the same.

For Petitioner : Mr.M.Vimal B.Crimson

For R1 : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)



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ORDER

This Criminal Original Petition is filed to quash the C.C.No.1102 of 2023 on the ground that it is a matrimonial dispute between the brother of the petitioner and the 2nd respondent. This petitioner is a resident of USA and has nothing to do with the alleged crime. Hence the case against this petitioner has to be quashed.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police states that the statement of witnesses reveals that the petitioner being the sister of the 2nd respondent husband had a role in the cruelty committed to the defacto complainant and further the petitioner is absconding and Non Bailable Warrant is pending against her.

3. In the light of the above facts, since the petitioner has not participated in the trial and absconding and also some material available by way of statement of victim regarding the involvement of the petitioner in the crime, it is appropriate for the petitioner herein to approach the trial Court on surrender and seek discharge. If there is sufficient material to sustain his discharge application, the trial Court to decide the same on



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merits.

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4. Accordingly, this Criminal Original Petition filed under Section 428 Cr.P.C./528 BNSS is dismissed without prejudice to the right of the petitioner herein to file discharge petition, if so advised. Consequently, the connected Criminal Miscellaneous Petitions are closed.

23.10.2024

rpl
To

1.The Additional Mahila Court, Coimbatore

2.The Inspector of Police
All Women Police Station East,
Puliyakulam,
Ramanathapuram, Coimbatore-45

3.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

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