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CrI.O.P.No.28406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.28406 of 2024

and

CrI.M.P.No.15825 of 2024

Sujatha

... Petitioner

Vs.

1. The State rep.by
Inspector of Police,
All Women Police Station,
Cuddalore – 607 001.

2. Suba

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS Act, 2023/482 Cr.P.C to call for the entire records and quash in connection with the case in Final Report in C.C.No.508 of 2024 on the file of the learned Judicial Magistrate, Additional Mahila Court, Cuddalore and quash the same.

For Petitioner : Ms.S.Deepika
for Mr.Parventhan

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1
Mr.A.Arasu Ganesan for R2



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ORDER

This Criminal Original Petition is filed to quash the proceedings in C.C.No.508 of 2024 on the file of the learned Judicial Magistrate, Additional Mahila Court, Cuddalore.

2. Learned counsel for the petitioner submits that the charge sheet registered against the petitioner for the offence under Sections 498(A), 294(b), 506(1) IPC read with Section 4 of Women Harassment Act is not maintainable, as the petitioner is not a family member of the *de-facto* complainant/second respondent herein and the other accused. He further submitted that the petitioner was also not present in the scene of occurrence and there is no overt act made against this petitioner. Therefore, he prays to quash the proceedings in C.C.No.508 of 2024 on the file of the learned Judicial Magistrate, Additional Mahila Court, Cuddalore against the petitioner.

3. Heard the learned counsel on either side and perused the materials available on record.



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4. On a perusal of the records, it is seen that there are sufficient materials and specific allegations are made against the petitioner, therefore, this Court is not inclined to quash the proceeding against the petitioner. However, the petitioner is at liberty to take all her defence before the pending case in C.C.No.508 of 2024.

5. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

13.11.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

To

1. The Judicial Magistrate,
Additional Mahila Court,
Cuddalore.
2. The Inspector of Police,
All Women Police Station,
Cuddalore – 607 001.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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