



Crl.O.P.(MD)No.8545 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.8545 of 2024 and
Crl.MP(MD) No.5842 of 2024

1. Saravanan
2. Karuppiah
3. Vellammal
4. Sathiyamoorthy

... Petitioners

Vs

- 1.The State
Rep by the Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.

- 2.Vanithadevi

...Respondents.

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to impugned C.C.No.573 of 2014 pending on the file of the Learned Judicial Magistrate Court, Sivagiri and quash the same.

For Petitioners
For Respondents

: Mrs.S.Meena
: Mr.P.Kottaichamy
Government Advocate (Crl.side)



CrI.O.P.(MD)No.8545 of 2024

ORDER

The petitioners have approached this Court to quash the proceedings in C.C.No.573 of 2014, which is pending on the file of the Judicial Magistrate Court, Sivagiri.

2.The case of the prosecution is that the defacto complainant is the wife of the first petitioner. She has lodged a complaint that the petitioners have demanded more dowry from her, apart from the amount given by her parents at the time of marriage. Hence, the complaint.

3.The learned Counsel for the petitioners has raised several grounds to quash the proceedings that the respondent police, without proper enquiry in respect of matrimonial dispute, due to political interference has registered the case. The learned counsel has insisted for dispensing with the personal appearance of the petitioners before the trial Court.

4.Mr.P.Kottaichamy, learned Government Advocate

(Crl side) takes notice for the first respondent and submits that the trial in



Crl.O.P.(MD)No.8545 of 2024

CC No.573 of 2014 has already been commenced; except the witnesses 4 & 5, all other witnesses have been examined and the case is posted to 26.06.2024 for examination of PW 4 and PW 5. He further submits that the grounds raised by the petitioners is a matter for trial.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the first respondent.

6. Though the petitioners have raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Court is not inclined to entertain this petition and accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioners to raise all these grounds before the trial Court, during trial. Considering the fact that the case is of the year 2014, the trial Court is directed to conclude the proceedings in CC No. 573 of 2014 as expeditiously as possible. With regard to the request of the petitioners for dispensing with their personal appearance before the trial Court, the petitioners are at liberty to file an application under Section 205 of Cr.P.C before the trial Court and the trial Court, if



Crl.O.P.(MD)No.8545 of 2024

satisfied that the petitioners would properly represent through a counsel,
may consider the same on merits. Consequently, connected
miscellaneous petition is closed.

12.06.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn

To

- 1.The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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