



Crl.O.P(MD).No.13680 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).No. 13680 of 2021 and
Crl.M.P(MD).Nos.7122 and 7123 of 2021

1.M.Vijay
2.V.Bose
3.Bharathi
4.Gavaskar
5.Shalini
6.Ravanish

... Petitioners

Vs.

1. The Inspector of Police,
All Women Police Station,
Madurai South, Madurai.
(Crime No.23 of 2020)

2.Vidhya

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned charge sheet in C.C.No.438 of 2021 on the file of the Additional Mahila Court, Madurai and quash the same in so far as the petitioners is concerned.

For Petitioners : Mr. S. Chandrasekaran

For respondent No.1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For respondent No.2 : un served



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ORDER

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This Criminal Original Petition has been filed to call for the records pertaining to the impugned charge sheet in C.C.No.438 of 2021 on the file of the Additional Mobile Court, Madurai and quash the same in so far as the petitioners is concerned.

2. The case of the prosecution is that there was a matrimonial dispute between the petitioner / A1 and the defacto complainant and that the petitioners herein are harassed the defactco complainant by demanding dowry. Based on the complaint given by the defacto complainant, case has been registered in Crime No.23 of 2020 and thereafter, charge sheeted in C.C.No. 438 of 2021 on the file of the Additional Mahila Court, Madurai for the offences punishable under Sections 498(A), 406, 294(b) and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002

3. The learned counsel appearing for the petitioners submitted that the entire allegation as such made in the complaint was took place in the year 2014, but, the impugned charge sheet has been filed only in the month of August 2019 and hence, it is barred under



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Section 468 Cr.P.C., and hence, prays for allowing this petition.

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4. The learned Additional Public Prosecutor appearing for the 1st respondent Police would submit that the case is posted for examination of witnesses LW.1 to LW.4 on 04.07.2024 and hence, prays for dismissal of this petition.

5. Considering the fact that the allegations made against the petitioners are serious in nature and that the truth will come out only after examination of all the witnesses, this Court is not inclined to allow this petition at this stage.

6. Accordingly, this Criminal Original Petition is dismissed. However, the Additional Mahila Court, Madurai is directed to dispose the proceeding in C.C.No.438 of 2021 pending on its file as expeditiously as possible. Consequently, the connected Miscellaneous Petitions are closed.

18.04.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

trp



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To

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1. The Additional Mahila Court, Madurai
2. The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.A.NAKKIRAN, J.

Trp

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Crl.M.P(MD).Nos.7122 and 7123 of 2021**

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