

Crl.O.P.No.13002 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13002 of 2024

and

Crl.M.P.No.7898 of 2024

1.K.Sangeetha

2.S.Revathy

... Petitioners

-Vs-

1.The State of Tamil Nadu
Rep by its Inspector Of Police,
D5, Salavakkam Police Station,
Kancheepuram District.
(Crime No 173 of 2022)

2.N.Ravi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the Final Report / Charge Sheet dated 21.12.2022 in P.R.C.No.27 of 2023, on the file of the District Munsif cum Judicial Magistrate, Uthiramerur and to quash the same.

For Petitioners:

Mr.E.Kannadasan
for M/s.G.Sumithra

For Respondents:

Mr. R. VinothRaja for R1
Government Advocate(Crl. Side)
Mr. K.G. Senthil Kumar for R2



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.27 of 2023 on the file of the District Munsif cum Judicial Magistrate, Uthiramerur.

2. The case of the prosecution is that, the first accused/Aruna got married with one N.Ravi, who is the victim. Thereafter, they got separated due to misunderstanding. Therefore, the victim could not able to maintain herself and filed petition for maintenance and also lodged complaint under Domestic Violence Act. While being so, on 02.03.2022, the accused along with their counsel went to the house of the second respondent and quarrelled with him. They also attacked him and threatened him with dire consequences.

3. The petitioners are arrayed as A4 and A5 who are none other than the advocates on record for the first accused. On 02.03.2022, they went along with the accused for negotiation to the house of the second respondent. Infact, on the request of the second respondent, the counsels namely the petitioners herein went along with A1 to A3. Even according to the case of the prosecution, the allegations as against the petitioners are



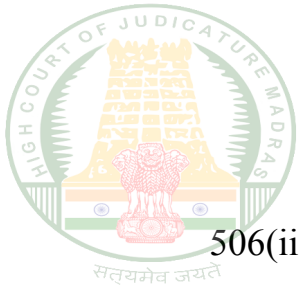
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that they also come with other accused persons and they also threatened the second respondent with dire consequences. Except this allegation, there is no overt act as against them to attract other offences.

4. Now the petitioners are also charged for the offences under Sections 147, 294(b), 323, 324, 506(ii) and 307 of IPC. Therefore, no offence is made out as against the petitioners as alleged in the prosecution. Infact, there is no question of trespass, since only on the request made by the second respondent, the petitioners as an advocates for the first accused went to the house of the second respondent for negotiation.

5. Admittedly, the family disputes are pending between the first accused and daughter of the second respondent. Therefore, no purpose would be served if the trial proceeds as against the petitioners, since there is absolutely no material to attract any of the offences as against the petitioners who are being the counsel on record for the first accused.

6. In view of the above, this Court finds that the entire proceedings initiated as against the petitioners under Sections 147, 294(b), 323, 324,



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506(ii) and 307 of IPC, cannot be sustained and liable to be quashed as against the petitioners alone. The trial Court is directed to proceed with the trial in P.R.C.No.27 of 2023 as against the other accused persons and complete the same within a period of six months from the date of receipt of copy of this order.

7. Accordingly, the Criminal Original Petition stands allowed and the proceedings in P.R.C.No.27 of 2023 on the file of the District Munsif cum Judicial Magistrate, Uthiramerur, is hereby quashed as against the petitioners alone. Consequently, connected miscellaneous petition is closed.

01.04.2025

Index : Yes/No
Neutral Citation: Yes/No
AT



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To
1.The District Munsif cum Judicial Magistrate,
Uthiramerur.

2.The Inspector of Police,
D5, Salavakkam Police Station,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN. J,

AT

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