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Crl.O.P.No.16503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.16503 of 2025

Valliammai @ Shenbagavalli

... Petitioner

Vs.

1. State Rep.by
The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District.

2. Vidhya

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Judicial Magistrate Court, Harur to dispose of the case in C.C.No.33 of 2013 as early as possible.

For Petitioner : Mr.R.Jayaprakash

For Respondents : S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition is filed seeking a direction to the



CrI.O.P.No.16503 of 2025

learned Judicial Magistrate, Harur to dispose of the case in C.C.No.33 of 2013 as early as possible.

2. According to the petitioner, the second respondent herein is the wife of the petitioner's son. Due to difference of opinion between them they got separated and also matrimonial cases are pending between them. While that being so, the second respondent with false allegations made a complaint against the petitioner (A3) and her husband(A2) as well as the petitioner's son (A1) and that a case in Crime No.29 of 2012 was registered. Hence, the petitioner filed a petition before this Court seeking to quash FIR in Crime No.29 of 2012 and this Court ordered notice and referred the matter to the mediation. In the *interregnum*, the first respondent-Police filed the final report before the Judicial Magistrate Court, Harur for the alleged offences punishable under Sections 498A, 406, 294(b) and 506(i) IPC and the case was taken on file in C.C.No.33 of 2013 on 27.02.2013. It is further submitted that the above said case is now at the stage of trial and because of repeated postponement and non-cooperation of P.W.1 in the cross examination, the case is being unnecessarily adjourned without any valid reasons and the case is



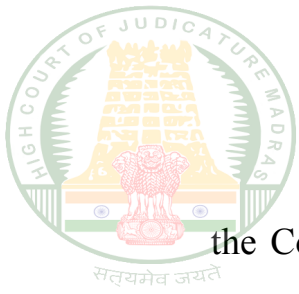
CrI.O.P.No.16503 of 2025

prolonged in order to harass the petitioner herein. The petitioner is a senior citizen, who is aged about 65 years. The petitioner is suffering from several ailments, who is being harassed by prolonging the proceedings of the Court. Therefore, the petitioner is constrained to approach this Court by way of filing the present petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) appearing for the first respondent and also perused the materials available on record.

4. Since no adverse orders being passed as against the second respondent, notice to the second respondent is dispensed with.

5. On a perusal of the entire records, it is seen that after registering the complaint, the petitioner herein approached this Court by way of filing scads of petitions with the intention to drag the proceedings. It is seen from the records in C.C.No.33 of 2013 on the file of the Judicial Magistrate Court, Harur, that already this Court *vide* order dated 10.02.2020 in CrI.O.P.Nos.8822, 10866 and 10265 of 2023 had directed



Crl.O.P.No.16503 of 2025

the Court below to complete the trial as expeditiously as possible. It is also seen from the records that whenever the witnesses appeared for cross-examination, the accused had not completed the cross-examination for various reasons only to drag on the proceedings. Due to non-appearance of P.W.1, coupled with the conduct of the accused and P.W.3, obstructed the expeditious disposal of the case contrary to the directions given by this Court dated 10.02.2020 in Crl.O.P.Nos.8822, 10866 and 10265 of 2023. Now the present petition is filed for the best reasons known to them. Hence, this Court is of the view that the petitioner has not come to this Court with clean hands. Therefore, this Court is not inclined to entertain this petition by invoking Section 528 BNSS, 2023.

6. In view of the above, the Criminal Original Petition is dismissed.

23.06.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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CrI.O.P.No.16503 of 2025

To

1. The Judicial Magistrate,
Harur.
2. The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.16503 of 2025

P.VELMURUGAN, J

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CrI.O.P.No.16503 of 2025

23.06.2025