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CrI.O.P.No.27796 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.27796 of 2024 and

CrI.M.P.No.15458 of 2024

1. Arulannathan
2. Malliga
3. Malathi
4. Murugesan

... Petitioners

Vs.

1. State Rep. by
Inspector of Police
All Women Police Station
Virudhachalam, Cuddalore District

2. Suganya

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to C.C.No.67 of 2018 on the file of Judicial Magistrate No.II, Virudhachalam, Cuddalore -District, and quash the same.

For Petitioner	: Mr.T.Meganathan
For 1 st Respondent	: Mr.S.Sugendran Additional Public Prosecutor
For 2 nd Respondent	: No Appearance



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ORDER

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This Criminal Original Petition has been filed by the petitioners to quash the case in C.C.No.67 of 2018 on the file of Judicial Magistrate No.II, Virudhachalam, Cuddalore District for the offences under Sections 498(A), 294(b), 406, 506(i) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. Despite the private notice served on the second respondent and her name is also printed in the cause list, there is no representation for the second respondent.

4. It is a case of matrimonial dispute. The first accused and the second respondent/defacto complainant are husband and wife. The petitioners are the in-laws of the second respondent/defacto complainant. Based on the complaint given by the second respondent, the first respondent police registered a case



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against the petitioners and A1 in Crime NO.16 of 2017 on 17.07.2017 for the offence under Sections 498(A), 294(b), 506(i) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 and subsequently, after completion of investigation, filed a final report before the Judicial Magistrate No.II, Virudhachalam, Cuddalore District, against the accused persons for the offence under Sections 498(A), 294(b), 406, 506(i) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002. and the same was taken on file in C.C.No.67 of 2018. Now the petitioners have filed the present petition to quash the C.C. against them.

5. A perusal of the final report filed by the respondent police and also the statements recorded by the Investigating Officer from the list of witnesses shows prima facie allegations against the petitioners. Further, the grounds taken by the petitioners are matter of defense which can be decided only after trial.



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6. Therefore, this Criminal Original Petition is dismissed. Consequently,
connected Miscellaneous Petition is closed.

7. However, the petitioners are at liberty to work out their remedy in the
manner known to law.

20.01.2025

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To
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1. The Judicial Magistrate No.II,
Virudhachalam, Cuddalore District
2. The Inspector of Police
All Women Police Station
Virudhachalam, Cuddalore District
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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