



Crl.O.P.(MD)No.14068 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.14068 of 2025 and
Crl.MP(MD) Nos.11300 & 11301 of 2025

A. Subramaniam

... Petitioner

Vs

1.The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari.
Cr.No.6 of 2013.

2.Mahalakshmi @ Shanthi

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the case registered in Impugned Charge Sheet in C.C.No.226 of 2018 on the file of the Learned Additional Mahila Court, (Magisterial Level) Nagercoil and quash the same as illegal.

For Petitioner
For R1

: Mr. M.M.Manivelpandian,
: Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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ORDER

The petitioner/A1 in CC No.226 of 2018, on the file of the Additional Mahila Court, (Magisterial Level) Nagercoil, has filed this petition to quash the above proceedings pending as against him.

2.The petitioner and the defacto complainant are husband and wife. The defacto complainant has lodged a complaint as against this petitioner and her in-laws and the same has been registered in Crime No.6 of 2013, for the offence under Sections 498(A) and 406 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. After completing the investigation, the respondent police has filed the final report and the same was taken on file in CC No.226 of 2018 by the learned Magistrate, Additional Mahila Court, (Magisterial Level) Nagercoil.

3.The learned counsel for the petitioner has preferred to file this petition to quash the above proceedings insofar the petitioner is concerned, as there is no specific overt act as against this petitioner.



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4.Mr.A.S.Abul Kalaam Azad, learned Government Advocate (Crl.side) takes notice for the first respondent and submits that there is a specific overt act as against this petitioner. Moreover, this petitioner is evading the trial from the year 2018, and therefore, a non bailable warrant of arrest was issued as against him on 28.11.2018.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The second respondent, who is the wife of the petitioner has lodged a complaint as against this petitioner and her in-laws in the year 2013 and the case has been registered in Crime No.6 of 2013. The investigation agency has taken five years for completing the investigation in a case, which was registered under Section 498 A IPC and they have also not prosecuted the case effectively. The case in CC No.226 of 2018 is pending from the year 2018, without any progress.



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7.In view of the above, this Criminal Original Petition is disposed of with a direction to the learned Magistrate, Additional Mahila Court, (Magisterial Level) Nagercoil to conduct the trial on a day today basis and conclude the same, within a period of six months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous petitions are closed.

25.08.2025

NCC : Yes/No

Index : Yes/No

vrn

To

- 1.The Additional Mahila Court, (Magisterial Level) Nagercoil
- 2.The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari.



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B.PUGALENDHI,J

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Order made in
Crl.OP(MD)No.14068 of 2025 and
Crl.MP(MD) Nos.11300 & 11301 of 2025

25.08.2025