

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.8404 of 2016 and Crl.O.P. Nos.4385 & 4386 of 2016

1 Vijaya Baskaran
2 Sudha
3 Madhusudhanam
4 Deepika ... Petitioners

vs.

1 State represented by
Inspector of Police
R6 Kumaran Nagar Police Station
Chennai - 83
Crime No.2730 of 2015
2 M.A. Krishnan ... Respondents

Criminal Original Petition filed under Section 482 CrI.P.C.
to call for the records in C.C. No.719/2016 on the file of the
XXIII Metropolitan Magistrate, Saidapet and quash the same.

For petitioners Mr. S. Manoharan - No appearance
For R1 Mr. C. Emalias, Add. Public Prosecutor
For R2 Mr. Vimal B. Crimson

ORDER

This Criminal Original Petition is filed to call for the
records in C.C. No.719/2016 on the file of the XXIII
Metropolitan Magistrate, Saidapet and quash the same.

2 On account of boycott of Courts, there is no
representation on the side of the petitioners. However, in
Harish Uppal [Ex.Capt.] Vs Union of India reported in [2003] 2
SCC 45, the Supreme Court has held that boycott of Courts is
illegal and therefore, this Court heard the learned Additional
Public Prosecutor appearing for the first respondent-State and
the learned counsel for the second respondent, went through the
records and passes the following order:

3 On the complaint lodged by M.A. Krishnan, the second respondent-de facto complainant, the respondent police registered a case in Crime No.2730 of 2015 and after completing the investigation, has filed a final report in C.C. No.719 of 2016 for offences under Sections 417 and 420 IPC against Vijaya Baskaran, Sudha, Madhusudhanam and Deepika (who are the petitioners herein), challenging which this quash petition has been filed.

4 It is the case of the de facto complainant that the accused 1 to 3 came forward to fix the marriage of Deepika (A4) with one R. Senthil Prasad, nephew of Krishnan and an informal betrothal was also done on 01.05.2015. It is further alleged by the de facto complainant that the bride's party received a sum of Rs.1,50,000/- on various pretexts from the bridegroom's side and thereafter, they called off the wedding without assigning any good reason and neither returned the said amount.

5 This Court perused the final report and the accompanying documents and found that there are sufficient materials for the prosecution to proceed as against A.1, A.2 and A.3 and not against A.4. Consequently, the prosecution against Deepika (A.4) is hereby quashed and the Trial Court shall proceed against A.1 to A.3.

In the result, this Criminal Original Petition stands partly allowed. Connected Crl. M.P.s are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

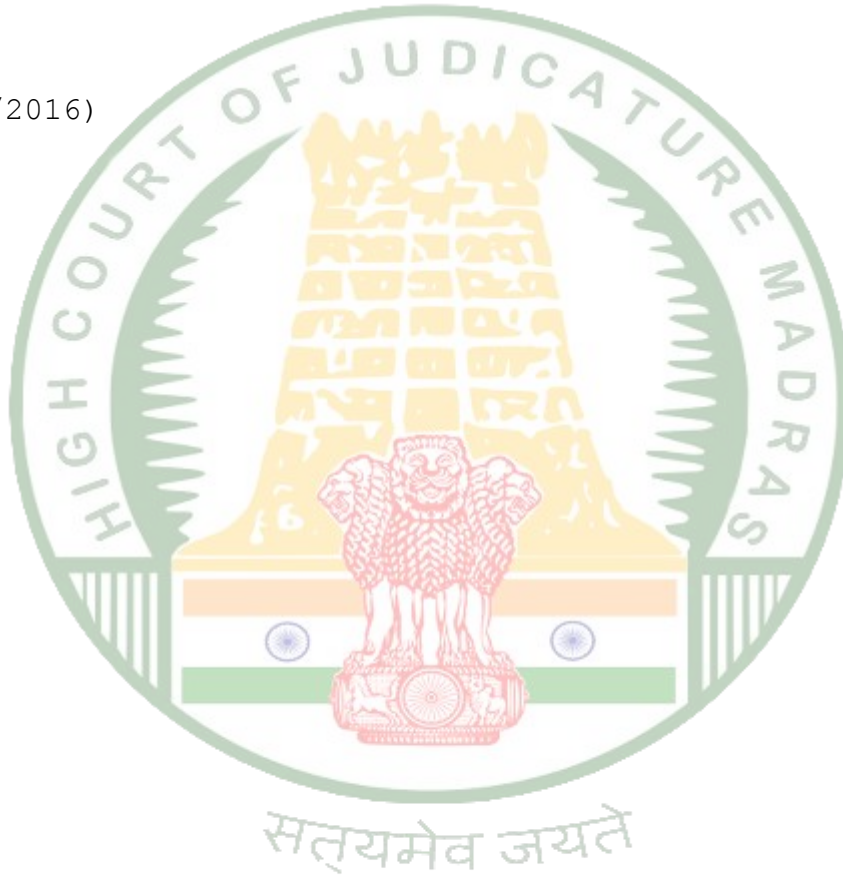
- 1 The Inspector of Police,
R6 Kumaran Nagar Police Station,
Chennai - 83,
Crime No.2730 of 2015.
- 2 The XXIII Metropolitan Magistrate,
Saidapet.

3 The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to M/S.Vimal B.Crimson, Advocate, S.R.No.37100
+1cc to M/S.S.Monoharan, Advocate, S.R.No.37151

Cr1.O.P.No. 8404 of 2016

sns (CO)
srg (23/07/2016)



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