



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 1220 of 2024

AND

CRL MP No. 880 of 2024 & CRL MP No.883 of 2024

R.Sriram

S/o Ravichandran, No.Sf2, Block-1, Abilash
Apartments, Lakshmi Nagar, 4th Stage,
Naganallur, Chennai-600061.

..Petitioner(s)

Vs

1. The State Rep By

Inspector Of Police, W-5, All Women Police
Station, Selaiyur, Chennai.
Crime No 23 Of 2021

2. Asmita K.S

W/o Yaswanth G.K, No.2, Veera Vanjinathan
Street, Semmenchery, Chennai-600119.

..Respondent(s)

PRAYER

Criminal Original Petition filed under Sec.528 of B.N.S.S. 2023, praying
to call for the records in connection with the case in C.C.No. 534 of 2023 on the
file of the Additional Mahila Court at Alandur.

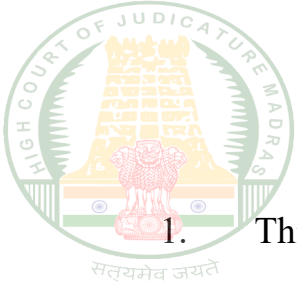
For Petitioner(s):

Mr. A.Sakthivel

For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)
For R1

R2 – No appearance



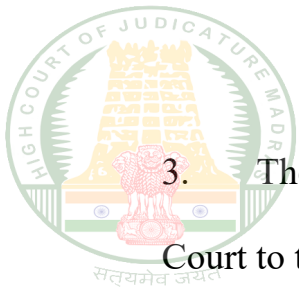
ORDER

1. This Criminal Original Petition is filed challenging the final report filed in C.C.No. 534 of 2023 on the file of Additional Mahila Court, Alandur in as much as the petitioner is concerned.

2. Upon hearing the arguments of the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) and perusing the First Information Report, materials collected during the course of investigation and the final report, the gist of allegation is that the 2nd respondent/de facto complainant had alleged cruelty and other offences against the husband and the family members. While so, the petitioner is arrayed as accused No.4. It can be seen that the petitioner is a friend of her husband. Upon perusal of the entire materials, the following is the only allegation as far as Accused No. 4 is concerned and verbatim statement of 2nd respondent made under Section 161 of Cr.P.C. is extracted hereunder for ready reference :-

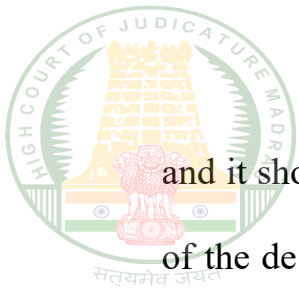
"அதன் பிறகு 02.04.2021ம் தேதி எனது கணவரின் நண்பர் ஸ்ரீராம் நாங்கள் இருந்த வீட்டை காலி செய்து சாமான்களை எல்லாம் எடுத்து வந்து என் அம்மா வீட்டின் வெளியில் வீசிவிட்டு அத்துமீறி வீட்டிற்குள் நுழைந்து உனக்கு கடைசியாக ஒரு வாய்ப்பு, தருகிறோம் யஷ்வந்தை விட்டு போய்விடு இல்லையென்றால் நீ இருந்த இடமே தெரியாமல் போய்விடுவாய் என்று கொலை மிரட்டல் விடுத்து என்னை பற்றி தரக்குறைவாக பேசியதாலும் நான் காவல் துறை 100க்கு போன் செய்தேன்."

In view of the above, the petitioner is also arrayed as an accused No.4 in the family issue of the 2nd respondent and the other accused.



3. The learned counsel for the petitioner would draw the attention of this Court to the copy of the email filed in Page No.1 of the typed set of papers dated 13.02.2020, the email reads as if it is sent by the 2nd respondent/de facto complainant to her husband requesting to handover all her belongings. Thus, it is the case of the petitioner that when the 2nd respondent/de facto complainant has requested her husband to return all the belongings, as a friend the petitioner helped in carrying the belongings and he only went to the house of the 2nd respondent/de facto complainant to hand over all the belongings, however, the same was not accepted and all the materials were brought back by the petitioner.

4. When an alleged email in writing is produced before this Court and a specific allegation is made that it is only on the request of the 2nd respondent that the things were taken by this petitioner to her home and embellishment is also made that as if the petitioner has further threatened her, even though de facto complainant has entered appearance through counsel, in spite of the matter being called in the morning and passed over in the afternoon, the arguments are not countered neither any counter affidavit is filed denying the same. Even otherwise, when the primary allegations are relating to cruelty against the husband and his relatives, the only allegation is against accused No.4, who is the friend of the husband went with the articles belonging to the de facto complainant to her house. Even though, threatening per se would be an offence, it must be seen that every threat made under every occasion will not make out an offence of intimidation



and it should be in such a nature so as to cause alarm of real threat in the minds of the de facto complainant. Useful reference in this regard can be made to the judgement of the Supreme Court of India held in ***Naresh Kumar Aneja Vs. State of Uttar Pradesh and another (2025 (2) SCC 604)***.

5. For all the above reasons, this Criminal Original Petition deserves to be allowed and the final report in C.C.No. 534 of 2023 on the file of Additional Mahila Court, Alandur is quashed in as much as the petitioner alone is concerned. This Criminal Original Petition stands accordingly allowed. Consequently, connected Criminal Miscellaneous Petitions are closed.

28-07-2026

Neutral Citation: Yes/No

RPP

To

1. The Additional Mahila Court, Alandur.
2. The Inspector of Police,
W-5 All Women Police Station,
Selaiyur, Chennai.
3. The Public Prosecutor, High Court, Madras.



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CRL OP No. 1220 of 2



D.BHARATHA CHAKRAVARTHY J.

RPP

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