



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18055 of 2026
and CRL MP No.12031 of 2026

Shanmuga Priya
W/o. Mr. Samram

..Petitioner(s)

Vs

1. Sulochana
2. Manimegalai
3. The Sub-Inspector Of Police
Ariyalur Police Station,
Ariyalur District.

..Respondent(s)

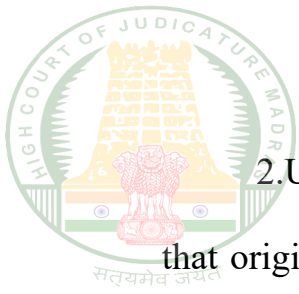
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the records pertaining to proceeding in CrI.M.P. No.2029 of 2025 on the file of the Additional Mahila Court at Ariyalur and Quash the same.

For Petitioner(s): Mr.K.Seetharam

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (CrI. Side) - R3

ORDER

The Criminal Original Petition is filed to call for the records relating to CrI.M.P.No.2029 of 2025, on the file of the Additional Mahila Court, Ariyalur and to quash the same.



2. Upon perusing the material records of the case herein, it can be seen that originally a case in Crime No.683 of 2017 was registered for the offences under Section 294 B, 323 and 506(ii) I.P.C. After thorough investigation, it is said that the case was referred as mistake of fact. Seven years later, now the CrI.M.P.No.2029 of 2025 is filed by the defacto complaint in the said case on the ground that the Referred Charge Sheet notice that is filed by the police in R.C.No.24 of 2017 is forged by the police inasmuch as the signature which is contained in the RCS notice does not belong to the defacto complainant and therefore, she came to know about the closure of the case now only and hence the protest petition.

3. The learned counsel for the petitioner submits that there was no reason for the police to have forged the RCS notice. Secondly, as a defacto complainant, at least within reasonable time, she should have enquired. Thirdly, the case was duly enquired and thereafter only closed.

4. I have considered the said submissions made by the learned counsel for the petitioner.

5. Firstly, with reference to the question whether it is forged or not, it will be gone into by the trial court and it is for the police to demonstrate that it is only signed by the defacto complainant, in which case, she will be hauled up for



coming up with false protest petition. Secondly, with reference to the merits, it will be very much opened for the petitioner to contest about both the delay and that the delay will cause prejudice to the petitioner and also with reference to the merits of the investigation that was done earlier.

6. Therefore, keeping open the liberty of the petitioner to raise all the grounds before the trial court, the prayer made as such cannot be entertained. When a protest petition is filed, the trial court has only summoned by petitioner. In view thereof, this criminal original petition stands disposed of.

7. At this juncture, the learned counsel would submit that only because the petitioner is now transferred back, the complaint is filed and also pleads that there is hardship for the petitioner. In view thereof, pursuant to the summons, the petitioner shall make the first appearance before the court, thereafter for the subsequent hearings, the appearance of the petitioner shall stand dispensed with except for the necessary hearings that may be insisted upon by the trial court. Consequently, connected miscellaneous petition is closed.

10-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

kas



D.BHARATHA CHAKRAVARTHY, J.

kas

WEB COPY

To

1. The Additional Mahila Court
Ariyalur
2. The Sub-Inspector Of Police
Ariyalur Police Station,
Ariyalur District.
3. The Public Prosecutor
High Court of Madras
Chennai 600 104

CRL OP No. 18055 of 2026
and CRL MP No.12031 of 2026

10-07-2026



WEB COPY

CRL OP No. 18055 of 2

