



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 21947 of 2026

and

Crl.M.P.Nos.14537 & 14538 of 2026

1. Pavithran
S/o. Balaiya,
No.1/191, Mariyamman Koil Street,
Sindhu Nagar, Ariyur Kuppam,
Vellore District 632 055.
2. Indhirani
W/o. Balaiya,
No.1/191, Mariyamman Koil Street,
Sindhu Nagar, Ariyur Kuppam,
Vellore District 632 055.
3. Balaiya
S/o. Rasaiya,
No.1/191, Mariyamman Koil Street,
Sindhu Nagar, Ariyur Kuppam,
Vellore District 632 055.

..Petitioner(s)

Vs

1. The Assistant Commissioner of Police
Villivakam Range,
Villivakkam, Chennai 600 049.
2. Manimekalai
W/o. Sundar,
No.11, Thalamuthu Natrajan Street,
Puzhal, Chennai-600 066.

..Respondent(s)



Prayer: Petition filed under Section 528 of BNSS, praying to call for the records pertaining to the SC No. 154 of 2025 pending on the file of the learned District and Sessions Judge, Tiruvallur and quash the same.

For Petitioner(s): Mr.B.Gopalakrishnan

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl. Side) for R1

ORDER

The prayer in the Criminal Original Petition is to quash the proceedings in S.C.No.154 of 2025 on the filed of the learned District and Sessions Judge, Tiruvallur.

2. The arguments of the learned counsel for the petitioners is that the respondent police lacks territorial jurisdiction. The second submission made is that the de-facto complainant had also lodged a second compliant in which she obtained money and compromised the entire issue during which no averments as to abuse by using the caste name is mentioned. The further arguments is that the entire case is false and even the 164 statement contains severe contradictions and improvements.

3. Per contra, learned Government Advocate (Crl. Side) would submit that the trial has begun and PW1 to PW3 already examined and now, the matter is posted for witness of PW4 to PW7.



4. Considering all the above and also taking into account the nature of arguments made, since the trial is already in progress, all these issues can also be raised during the course of the trial and therefore, when already the trial is upto the stage of P.W.3, there is no question of entertaining the Criminal Original Petition at this stage.

5. Keeping open the liberty of the petitioner to raise all the grounds during the course of the trial, the Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed.

6. Considering the nature of hardship that is pleaded with reference to the petitioners 2 and 3, their presence before the trial Court alone shall stands dispensed with, except for the necessary hearing that are insisted upon by the trial Court on condition that on the days in which they are absent, they must be represented through counsel and to co-operate for the progress of the case.

07-08-2026

Neutral Citation: Yes/No

DP



To

1. The District and Sessions Court, Tiruvallur.
2. The Assistant Commissioner of Police
Villivakam Range,
Villivakkam,
Chennai 600 049.
3. The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 21947 of 2



D.BHARATHA CHAKRAVARTHY, J.

DP

CRL OP No. 21947 of 2026

07-08-2026