



Crl.R.C.No.77 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 11.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.77 of 2025
and Crl.M.P.No.603 of 2025

V.Sharadha

... Petitioner

Vs.

1. The State rep. by its
The Inspector of Police,
W-1, AWPS,
Thousand Lights,
Chennai – 600 034.

2. Umashenbagam

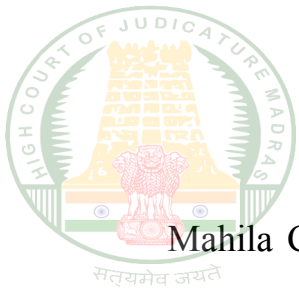
... Respondents

PRAYER: Criminal Revision has been filed under Section 438 & 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order of the learned Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai in Crl.M.P.No.240 of 2024 in C.C.No.51 of 2023 dated 28.10.2024.

For Petitioner	:	Mr.V.Krishnamoorthy
For Respondents	:	
For R1	:	Mr.A.Gopinath
	:	Government Advocate (Crl. Side)
For R2	:	No appearance

ORDER

This Criminal Revision has been preferred as against the order dated 28.10.2024, passed by the learned Metropolitan Magistrate, Additional

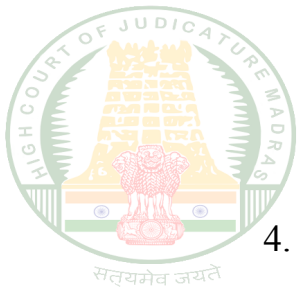


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Mahila Court, Egmore, Chennai, in Crl.M.P.No.240 of 2024 in C.C.No.51 of 2023, thereby dismissing the petition filed by the petitioner to discharge.

2. The petitioner is arrayed as A2 in the compliant lodged by the respondent and having been taken cognizance in C.C.No.51 of 2023, for the offences punishable under Sections 498(A), 493, 417, 420, 460, 323, 325, 506(i) r/w 109 and 37 of IPC. While pending the case in framing of charges, the petitioner filed a petition to discharge her from all the charges on the ground that no witness has been supported the case of the prosecution and there is no specific allegation as against the petitioner. However, the trial Court dismissed the petition and aggrieved by the same, the petitioner filed the present revision.

3. The learned counsel appearing for the petitioner submitted that all the allegations were made only as against the first accused. In fact, the doctor who treated the victim did not support the case of the prosecution. The petitioner never involved any of the offences as alleged by the prosecution. Without considering the above facts and circumstances, the trial Court dismissed the petition for discharge the petitioner from all the charges.



4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the records, it is revealed that the second respondent lodged complaint alleging that she is a divorcee having one girl child. While being so, in the year 2005, the first accused married the complainant by stating that he was a bachelor. After some time, the complainant came to know that the first accused already got married the second accused viz., the petitioner herein and gave birth to two children. Further, the first accused extracted 100 sovereigns of gold and cash of rupees one crore. The first accused also purchased a house in his name from the money extracted from the defacto complainant. Later the defacto complainant came to know that the petitioner also knew every thing and facilitated the commission of offence by the first accused. During the year 2020, when the defacto complainant asked to return every things, both the accused have beaten her and also her child. Hence, the defacto complainant lodged complaint and after completion of investigation, the first respondent filed final report.

6. On perusal of the statement recorded under Section 164 of Cr.P.C., from the witnesses, it is revealed that there are specific allegations as against



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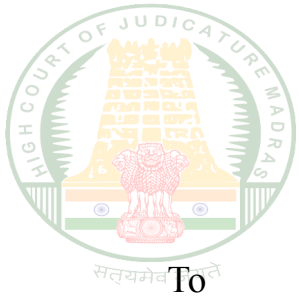
the petitioner who is arrayed as A2. It is settled law that even strong suspicion of committing the offence is also enough to frame the charges as against the accused. Therefore, the ground raised by petitioner cannot be considered to discharge her from all the charges. Hence, the trial Court rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the Court below. However, considering the facts and circumstances of the case, the personal appearance of the petitioner is dispensed with and she shall be represented by a counsel after filing appropriate application. The petitioner shall be present before the Court below at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C., and at the time of passing judgment.

7. Accordingly, the Criminal Revision Case stands dismissed. Consequently, connected miscellaneous petition is closed.

11.08.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

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To
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1. The Metropolitan Magistrate,
Additional Mahila Court,
Egmore, Chennai.
2. The Inspector of Police,
W-1, AWPS,
Thousand Lights,
Chennai – 600 034.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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