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CRL OP No. 7214 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 7214 of 2025

1. RUKMANI

W/o.Jayaraman, No.123-b, Peramanoor
Main Road, Four Road, Salem - 7.

Petitioner(s)

Vs

1. The State Rep.By, The Inspector Of
Police,
All Women Police Station, Ammapet,
Salem. Cr.No.5/2024.

2.PUNITHA

W/o. Sasikumar, D/o.Chinnathambi,
319a1, 7th Cross Street, Brindavan
Road, Fairlands, Salem.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to the Charge Sheet in Spl.S.C.No.160 of 2024 on the file of Spl. Court for Exclusive Trial of Cases under Pocso Act, Salem, quash the same by allowing the Criminal Original Petition.



For Petitioner(s): Mr.A.Padmanabhan

For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor – R1

Mr.L.Mouli – R2

ORDER

This Criminal Original Petition has been filed to quash the final report filed against the petitioner in Spl.S.C.No.160 of 2024 on the file of the Spl. Court for Exclusive Trial of Cases under POCSO Act, Salem for the offences under section 498 A of IPC.

2. The petitioner is arrayed as A2 and she is the mother of A1. The case of the prosecution is that A1 and the defacto complainant were married in the year 2006 and they were blessed with two girl children who are aged about 15 years and 6 years respectively. After marriage, A1 had developed relationship with another woman and he had also sexually assaulted their minor children. Besides he had also taken Rs.69 lakhs from the account of the defacto complainant and that apart, he is also addicted to drugs. When the same



intimated to A2, A2 stated that A1 used to have such relationship from his young age. Therefore, A2 has also been prosecuted.

3. The learned counsel appearing for the petitioner would submit that as against the petitioner/A2, there are no materials except that allegation that she had informed the defacto complainant that his son is like that from his young age, no other materials is available on record.

4. The learned counsel appearing for the defacto complainant would submit that A2 remaining silent and not taking any action amounts to cruelty. Hence, prayed for dismissal of this petition.

5. I have perused entire materials. Though the allegation against A1 is serious in nature and the minor children had also given statement before the learned Magistrate with regard to bad touch by their father, the entire allegations in the final report appears to be matrimonial dispute. The only allegation against A2 is that she had stated to the defacto complainant that her son is like



that from his childhood. Except the above allegation, no other allegation is made against the petitioner/A2. Considering the fact that even such allegation is taken into account, this Court is of the view that such allegation will not constitute any offence against A2. Even the minor children had not whispered anything about A2 in their statements recorded under section 164 Cr.P.C. Considering all these aspects, this Court is of the view that the final filed as against the petitioner/A2 is liable to be quashed.

Accordingly, this Criminal original Petition is allowed and the final report filed in Spl.C.C.No.160 of 2024 on the file of the Spl. Court for Exclusive Trial of Cases under POCSO Act, Salem as against the petitioner/A2 alone is quashed.

22-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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1. The Sessions Judge,
Spl. Court for Exclusive Trial of Cases under
POCSO Act, Salem .
- 2.The Inspector Of Police,
All Women Police Station, Ammapet,
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N.SATHISH KUMAR J.

VRC

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