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CrI.O.P.No.18212 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.18212 of 2025

M.Kalaiselvi

... Petitioner

Vs.

1. State by Deputy Superintendent of Police
Vedaranyam
Nagapattinam District
(Crime No.255 of 2024 of Voimedu P.S.)

2. Senthil Nathan

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to issue a direction to the first respondent to record the statement of petitioner under Section 161(3) Cr.P.C. (180 of BNSS) in Crime No.155 of 2024 on the file of the first respondent and to proceed further based on the statements recorded.

For Petitioner : Mr.V.Ramamurthy

For First Respondent : Dr.C.E.Pratap

Government Advocate (CrI. Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner/defacto complainant to issue a direction to the first respondent to record the statement of petitioner under Section 161(3) Cr.P.C. (180 of BNSS) in Crime No.155 of 2024 on the file of the first respondent and to proceed further based on the statements recorded.

2. The case of the petitioner is that the petitioner's fifth daughter/deceased married to the second respondent on 21.08.2022. Thereafter, the deceased twice conceived but got aborted. Further, the deceased was suffering from stomach pain. Hence, due to mental stress, the deceased committed suicide by hanging on 04.09.2024. Thereafter, the petitioner's first daughter's husband namely Venkatesan influenced the petitioner and forced her to give a false complaint implicating the second respondent. At a confused and unstable mind due to the sudden death of her daughter, the petitioner gave a complaint to the police by falsely implicating the second respondent as if they



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harassed the deceased by demanding dowry. Now the petitioner understands

that the said Venkatesan in order to grab the property settled in favour of her deceased daughter, has made the petitioner to implicate the second respondent.

Further, the said Venkatesan started sending false complaints based on distorted facts to various authorities to pressurize the first respondent to proceed the case further against the second respondent. The petitioner had already given her statement to the first respondent. However, now she wants to give a statement under Section 161(3) of 180 BNSS in respect of facts which she had known. Hence, the present petition is filed.

3. The learned Government Advocate (CrI. Side) appearing for the respondent police submitted that the RDO report has been received and as per which, there was a dowry harassment and therefore, the offences will be altered.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) appearing for the first respondent and also



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perused the materials available on record.

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5. Since no adverse order is being passed against the second respondent, notice to the second respondent is dispensed with.

6. It is seen that already during investigation by the police, the petitioner was examined and her statement was also recorded. Further, the RDO enquiry has been concluded and that the investigation is under progress. Therefore, at this stage, the petitioner is not entitled to the relief sought for. Whatever the facts the petitioner wants to state, she can disclose the same before the Magistrate concerned during trial.

7. Accordingly, this Criminal Original Petition is dismissed.

8. However, the petitioner is at liberty to work out her remedy in the manner known to law before the trial Court during trial.

08.07.2025

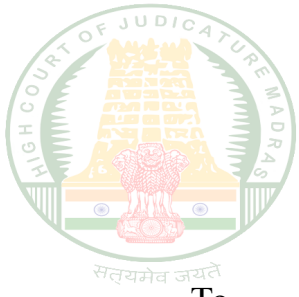
Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Deputy Superintendent of Police
Vedaranyam
Nagapattinam District
(Crime No.255 of 2024 of Voimedu P.S.)

2.The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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