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Crl.O.P.No.16654 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.16654 of 2025

1. Amutha
 2. Harisankar
 3. Chitra
- ... Petitioners

Vs.

1. The State Rep.by
The Inspector of Police,
All Women Police Station,
Perambalur District,
(Ref: Crime No.25 of 2023)
 2. Kavitha
- ... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records and quash the charge sheet as far as petitioners/accused 2 to 4 are concerned, in Spl.S.C.No.11 of 2024 in Crime No.25 of 2023 pending on the file of the learned Special Judge for SC/ST at Perambalur District.

For Petitioners : Mr.B.Ramar
For Respondents : Dr.C.E.Pratap
Government Advocate (Crl.Side)
for R1



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ORDER

WEB COPY The Criminal Original Petition is filed to quash the charge sheet in Spl.S.C.No.11 of 2024 in Crime No.25 of 2023 pending on the file of the learned Special Judge for SC/ST at Perambalur District as against petitioners/accused 2 to 4.

2. In the complaint it is alleged by the second respondent herein/*de-facto* complainant that A1 and the *de-facto* complainant had loved each other and based on the false promise that he will marry the *de-facto* complainant, A1 had sexual intercourse with her in a forceful manner on several times and she got pregnant and it was informed to A1. At that time, A4 had given some tablets to the *de-facto* complainant for the purpose of abortion and by coercion aborted the fetus. When the *de-facto* complainant has constantly approached A1 for arrangement of marriage, he evaded the same by citing one or other reasons. While that being so, on 08.02.2023, the *de-facto* complainant went to the house of A1, at that time A2 and A3, who are the mother and brother of A1 scolded the *de-facto* complainant by citing her community name and also by using unparliamentary words and consequently, A1 took the *de-facto*



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complainant in his bike and brutally attacked her with wooden stick and also threatened her with dire consequences. Hence, she lodged a complaint against the petitioners and a case was registered in Crime No.25 of 2023 for the offences punishable under Sections 294(b), 313, 324, 417, 376 and 506(1) IPC read with Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(2)(va) of SC/ST (POA) Act, 1989. On completion of investigation, the first respondent-Police filed a final report/charge sheet against the petitioners before the learned Special Judge for SC/ST Act Cases, Perambalur District. The learned Special Judge took cognizance of the case in Spl.S.C.No.11 of 2024.

3. Learned counsel for the petitioners submitted that the petitioners/A2 to A4 are mother, brother and sister of A1 and the *de-facto* complainant and A1 had loved each other without the knowledge of the petitioners herein. The petitioners are innocent and they have not committed any offence as alleged by the *de-facto* complainant. The first respondent-Police falsely implicated the petitioners in the case and *prima facie* there are no materials made out against the petitioners and there is no need to face the ordeal of trial and hence, the charge sheet in



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Spl.S.C.No.11 of 2024 in Crime No.25 of 2023 pending on the file of the

learned Special Judge for SC/ST at Perambalur District may be quashed as against petitioners/accused 2 to 4.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the first respondent and perused the materials available on record.

5. This Court, after perusing the complaint, charge-sheet and statements of witnesses recorded under Section 161 Cr.P.C., and other materials, is of the view that it is a matter for trial and all the points raised by the petitioners herein have to be agitated only before the trial Court. Therefore this Court is not inclined to quash the proceedings by exercising the power under Section 528 BNS, 2023.

6. In view of the above, the Criminal Original Petition is dismissed.

12.06.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Special Judge
Special Court for SC/ST Cases,
Perambalur District.
2. The Inspector of Police,
All Women Police Station,
Perambalur District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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