



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.R.C.No.1336 of 2025
and Crl.M.P.Nos.15157 & 15159 of 2025**

1.G.Gershon Paul

2.Geevanesan

3.G.Darthi

4.G.Derick

5.S.Vasanthi

6.Sampath

7.S.Pricilla

...Petitioners

Versus

Janet Sheril

...Respondent

This Criminal Revision Case is filed under Sections 438 r/w. 442 of BNSS, 2023 praying to set aside the order passed against the petitioners in C.M.P.No.31121 of 2024 in C.C.No.583 of 2025 dated 04.03.2025 on the file of the learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore.



For Petitioners : Mr.S.Senthilvel
For Respondent : Dr.S.S.Swaminathan

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ORDER

This Criminal Revision Case has been filed by the Petitioners seeking to set aside the Order dated 04.03.2025 in C.M.P.No.31121 of 2024 in C.C.No.583 of 2025 passed by the learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore.

2. The brief facts of the case are that 1st Petitioner and Respondent are husband and wife. They got married on 30.05.2023 as per the Christian Rites and Customs. After marriage, there was a misunderstanding between the 1st Petitioner and Respondent, pursuant to which, Respondent lodged a complaint against the Petitioners, before Sulur Police Station, but, no action was taken against the Petitioners. Thereafter, the Respondent lodged a complaint before the Superintendent of Police, Coimbatore and the said complaint was forwarded to All Women Police Station, Sulur. However, no action was taken against the Petitioners. Hence, Respondent had filed a private complaint petition in C.M.P.No.31121 of 2024 under Section 223 of BNSS, 2023 before the Additional Mahila Court, Coimbatore praying to take

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appropriate action against the Petitioners. The learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore vide Order dated 04.03.2025, allowed C.M.P.No.31121 of 2024 and took cognizance of the offence under Section 85 of BNSS & Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 against the Petitioners and issued summons to them.

3. The learned counsel for Petitioners submitted that 1st Petitioner is the husband of Respondent, Petitioners 2 & 3 are father-in-law & mother-in-law of the Respondent, 4th Petitioner is the brother-in-law of Respondent, Petitioners 5 & 6 are Aunt and Uncle of 1st Petitioner and 7th Petitioner is the daughter of Petitioners 5 & 6. After marriage, for a period of 5 months, 1st Petitioner and Respondent were residing along with Petitioners 2 to 4 at Sulur and thereafter, 1st Petitioner and Respondent had shifted to Bangalore. Though the Petitioners 5 to 6 are relatives of 1st Petitioner, they are not residing together with the 1st Petitioner's family. The Petitioners 1 to 4 are residing in the ground floor of the house and Petitioners 5 to 7 are residing in the 1st floor of the very same house. As such, Respondent has made unnecessary allegation against the Petitioners 5 to 7.



3.1. It is further submitted by the learned counsel for Petitioners that due to the misunderstanding between Respondent and 1st Petitioner, Respondent lodged a false complaint stating that her husband (1st Petitioner), her in-laws (Petitioners 2 to 4) and other relatives of her husband (Petitioners 5 to 7) had harassed her by demanding dowry.

3.2. In fact, 1st Petitioner had filed a Conjugal Rights Petition in D.O.P.No.1223 of 2024 before the learned Principal Judge, Family Court, Coimbatore. Subsequent to the filing of said Conjugal Rights Petition, immediately, Respondent had filed a Maintenance Case in M.C.No.105 of 2024 and Domestic Violence Case in D.V.No.107 of 2024 before the learned Principal Judge, Family Court, Coimbatore. This itself clearly shows that the intention of the Respondent is only to harass the Petitioners.

3.3. The learned counsel for Petitioners also submitted that in the impugned order passed by the learned Judicial Magistrate, nothing has been stated regarding the merits of Respondent's private complaint petition. Therefore, the learned counsel prayed that the impugned order may be set aside and this Criminal Revision Case may be allowed.



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4. On the other hand, the learned counsel appeared on behalf of Respondent submitted that the 1st Petitioner and Respondent got married on 30.05.2023 and after marriage, during the month of December, 2023, Respondent became pregnant. In this background, 1st Petitioner had assaulted the Respondent in her abdomen, due to which, Respondent was bleeding and miscarriage caused to her. That apart, 1st Petitioner had demanded dowry from the Respondent and he had harassed the Respondent both mentally and physically. When the Respondent's parents and brother had gone to the house of 1st Petitioner to resolve the matrimonial dispute between the 1st Petitioner and Respondent, 1st Petitioner had assaulted the Respondent's parents and brother and caused injuries to them. Therefore, left with no other alternative, Respondent has filed a private complaint petitioner before the Additional Mahila Court, Coimbatore seeking to take appropriate action against the Petitioners.

5. Heard the learned counsel on either side and perused the materials available on record.



6. Admittedly, 1st Petitioner and Respondent are husband and wife. They got married in the year 2023. Petitioners 2 to 4 are in laws of the Respondent and Petitioners 5 to 7 are distant relatives of 1st Petitioner. After marriage, Respondent was residing in her matrimonial house along with her husband, but, 5 months later, 1st Petitioner and Respondent were shifted to Bangalore. When the 1st Petitioner and Respondent were residing alone at Bangalore, there was a misunderstanding between them. In this background, the Respondent lodged a police complaint before the Superintendent of Police, Coimbatore stating that her husband and her husband's family members harassed her by demanding dowry, but, no action was taken on her complaint. Hence, the Respondent had filed a private complaint petition before the Additional Mahila Court, Coimbatore seeking to take appropriate action against the Petitioners. The learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore has allowed the said petition and issued summons to them. Hence, the Petitioners are before this Court.

7. According to the Petitioners, Respondent had lodged a false complaint against them. They did not harass the Respondent by demanding dowry as if the Respondent has stated in her complaint. Further, the



allegation made by the Respondent that she was harassed by the Petitioners 5 to 7 (distant relatives of 1st Petitioner) is a baseless allegation since the Petitioners 5 to 7 are not residing together with the 1st Petitioner's family. That apart, the Petitioners have pleaded that miscarriage was not caused to the Respondent as she stated in her complaint. Actually, the Respondent herself has voluntarily aborted her fetus. Further, apart from the private complaint, Respondent had also filed a Maintenance Case and Domestic Violence Case against the 1st Petitioner which are pending before the learned Principal Judge, Family Court, Coimbatore. The only intention of the Respondent is to harass the Petitioners.

8. As far as this case is concerned, Respondent had lodged a private complaint stating that she was harassed by her husband, her in laws and the relatives of her husband. However, the Petitioners have stated that since there was a misunderstanding between the Respondent and 1st Petitioner, Respondent had lodged a false private complaint against the Petitioners.

9. The issue involved herein is purely a family dispute. There is no possibility for resolving the dispute between the Petitioners and Respondent.



The Respondent has not only lodged a private complaint against her husband and his family members, but, also, she has filed a Maintenance Case and Domestic Violence Case against her husband.

10. Only after the completion of trial, it can be decided by the Court below that whether the dowry harassment allegation made by the Respondent against her husband and her husband's family members is proved by the Respondent or not.

11. It is to be noted that in the present case, 4th Petitioner is an unmarried brother of 1st Respondent and he is working at Ooty. Similarly, Petitioners 5 to 7 are distant relatives of 1st Petitioner and they are not residing together with the 1st Petitioner's family. Merely because of the reason that Petitioners 5 to 7 are residing in the first floor of the same house where the Petitioners 1 to 3 are residing, it cannot be assumed that Petitioners 5 to 7 have joined together with 1st Petitioner's family members and harassed the Respondent by demanding dowry. Hence, this Court is of the opinion that there is no possibility for the Petitioners 4 to 7 to have been involved in the present dispute.



12. In such view of the matter, as far as Petitioners 4 to 7 are concerned, Order dated 04.03.2025 in C.M.P.No.31121 of 2024 in C.C.No.583 of 2025 passed by the learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore is set aside and Petitioners 4 to 7 alone are discharged from the case in C.C.No.583 of 2025. It is made clear that Petitioners 4 to 7 are directed not to interfere in the family dispute between the Petitioners 1 to 3 and Respondent, in any manner whatsoever.

13. So far as Petitioners 1 to 3 is concerned, Order dated 04.03.2025 in C.M.P.No.31121 of 2024 in C.C.No.583 of 2025 passed by the learned Judicial Magistrate (FAC), Additional Mahila Court, Coimbatore does not warrant any interference and the same is confirmed.

14. With the above observation, this Criminal Revision Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

27.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order



To
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1.The Judicial Magistrate (FAC),
Additional Mahila Court,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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