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CRL OP No. 23442 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23442 of 2025

1. Arul @ Gnanavel

S/o.Kuppusamy

2. Govindammal

W/o.Kuppusamy

3. Subashini

W/o.Arul @ Gnanavel, All are residing
at No.2/249, Kathirvel Nagar,
Arprisampalayam Village, Villupuram
Taluk and District.

Petitioner(s)

Vs

1. The Inspector of Police,
Valavanur Police Station, Villupuram
District. Cr.No.724/2023.

2.Anitha

W/o.Manikandan, No.271, Kathirvel
Nagar, Arprisampalayam Village,
Villupuram Taluk and District.

Respondent(s)



PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to the case in CC No.59/2025, on the file of the Judicial Magistrate, Additional Mahila Court, Villupuram and quash the same.

For Petitioner(s): R.Anand Kumar

For Respondent(s): Mr.R.Vinothraja,
Government Advocate [Crl.Side]
– For R1

ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.59 of 2025 pending on the file of the Judicial Magistrate, Additional Mahila Court, Villupuram.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. The further case of the prosecution is that in a wordy quarrel, the petitioners had abused the defacto complainant in filthy language and had assaulted the defacto complainant and her mother -in-law.



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3. It is the contention of the learned counsel for the petitioner that no such occurrence had taken place and on the date of occurrence, the third petitioner was pregnant and she was beaten by the brother-in-law of the defacto complainant. In this regard, a case has also been registered against one Venkatesan, who is brother-in-law of the defacto complainant and the same is pending in C.C.No.17 of 2023. Hence, it is his contention, only as a counter blast, the present complaint has been given and seeks to quash the case in C.C.No.59 of 2025.

4. The learned Additional Public Prosecutor appearing for the respondents submitted that there are prima facie materials against the petitioners and witnesses have clearly spoken about the role played by the petitioners in the commission of the offence and hence, prayed to dismiss this petition.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate [Criminal Side] appearing for the respondents.



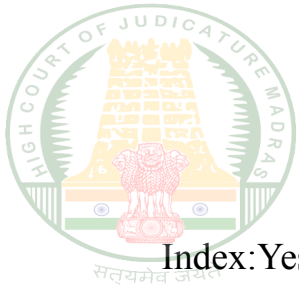
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6. The grounds that have been raised by the learned counsel for the petitioners are purely factual in nature and this Court cannot go into the same and conduct roving enquiry while exercising its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioners to raise all their defence before the trial Court and the Court below shall consider the same on its own merits and in accordance with law.

7. At this stage, the learned counsel for the petitioners sought indulgence of the Court, to dispense with the personal appearance of the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed. In view of the submissions of the learned counsel for the petitioners, the personal appearance of the petitioners is dispensed with except for receiving copies, for answering the charges, for questioning under section 313 Cr.P.C. and any other dates fixed by the trial Court. Consequently, connected miscellaneous petitions are also closed.

28-08-2025



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police,
Valavanur Police Station, Villupuram
District. Cr.No.724/2023.



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N.SATHISH KUMAR J.

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