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CrI.OP.No.27737 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CrI.O.P.No.27737 of 2025
and
CrI.MP.Nos.18842 & 18843 of 2025

Jegatha

... Petitioner

Vs.

State rep. by
The Inspector of Police,
AWPS, Kottakuppam,
Villupuram.

... Respondent

Prayer: Petition filed under Section 482 Cr.P.C., / 528 of BNSS, to call for the records of the final report pertaining to the criminal case in S.C.No.82 of 2025 pending trial on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Magila Court), Villupuram and to quash the same.

For Petitioner : Mr.V.Pavel

For Respondent : Mr.R.Vinothraja



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ORDER

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Challenging the final report pertaining to the criminal case in S.C.No.82 of 2025 pending trial on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Magila Court), Villupuram, the present Criminal Original Petition has been filed.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) appearing on behalf of the respondent.

3. The brief facts of the case is as follows:

3.1. The petitioner/A2 is none other than the mother of the first accused. The petitioner's son/A1 and the de-facto complainant had love affair and they lived together as husband and wife, due to which, the de-facto complainant got pregnant and the same was also aborted. However, the petitioner's son did not marry her. Based on the complaint of the de-facto complainant, a final report has been filed by the prosecution for the alleged offences under Sections 417, 294(b), 344, 506(10, 376(z)(n), 313, 109 IPC. Aggrieved by the same, the petitioner has come forward with the present Petition.



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4. I have perused the entire materials available on record.

5. On a bare reading of the case reveals that since the living together relationship between the de-facto complainant and the petitioner's son/A1 was fell apart, the complaint has been lodged by the de-facto complainant which was taken cognizance by the trial Court. It is to be noted that the entire statements of the de-facto complainant, as well as other materials collected by the prosecution, pinpoints only one allegation as against the petitioner herein, that the petitioner's son/A1 appears to have told the de-facto complainant that her mother has asked him to leave her and come back to the family, which is also an hearsay evidence and not a direct evidence. Except the said allegation, there was no overt act attributed against the petitioner. It is to be seen that merely on the basis of the hearsay evidence, the mother of A1 cannot be prosecuted. Even if the entire prosecution materials as such taken on record would not constitute any offence as against the petitioner herein which fact was also not disputed by the prosecution.



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6. Considering the aforesaid aspects, the final report taken on file by the learned Sessions Judge, Magalir Neethimandram (FTMC), Villupuram in S.C.No.82 of 2025 as against the petitioner alone, stands quashed. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petitions are closed.

14.10.2025

DP



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To

- 1.The Inspector of Police,
AWPS, Kottakuppam,
Villupuram.
- 2.The Public Prosecutor,
Madras High Court.



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N.SATHISH KUMAR.J.

DP

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