



Crl.OP.No.29798 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.29798 of 2025

and

Crl.MP.No.20305 of 2025

Archana

...Petitioner

Vs.

1. State rep. by,
The Inspector of Police,
Sadras Police Station,
Kancheepuram District.
(Crime No.59 of 2022)

2. Saraswathi

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records pertaining to S.C.No.218 of 2022 on the file of the learned Sessions Judge, Mahila Court, Chengalpattu in Crime No.59 of 2022 on the file of the 1st respondent and quash the same against this petitioner.

For Petitioner : Ms.R.Rajilasree

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1



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ORDER

This criminal original petition has been filed seeking quashment of the Final Report in S.C.No.218 of 2022, pending on the file of the learned Sessions Judge, Mahila Court, Chengalpattu.

2. Based on the complaint given by the 2nd respondent/de facto complainant, an FIR in Crime No.59 of 2022 came to be registered on the file of the 1st respondent as against the petitioner for the offences under Sections 294(b), 323, 307 and 506(II) of IPC and on completion of investigation, the final report came to be filed before the learned Sessions Judge, Mahila Court, Chengalpattu for the offences under Sections 294(b), 307, 506(II) and 448 of IPC as against the petitioner and the same was taken on file in S.C.No.218 of 2022. Challenging the same, the petitioner has come up with this petition.

3. Learned counsel for the petitioner submitted that the petitioner is none other than the daughter-in-law of the 2nd respondent/de facto complainant and due to some family dispute, the present false and exaggerated complaint has been lodged against the petitioner, in order to



wreak vengeance and that civil disputes are also pending between the parties. She further submitted that though it has been stated in the FIR that the 2nd respondent/de facto complainant was admitted to hospital for taking treatment for the injuries sustained by her, it is not so and from the reply received pursuant to the application made in this regard before the Public Information Officer, Government Medical Hospital, Chengalpattu under the RTI Act, it is evident that the 2nd respondent/de facto complainant had vanished into thin air during the course of enquiry/examination. She also submitted that though in the FIR, it has been stated that the petitioner assaulted and strangled the de facto complainant, however, before the doctor who had attended the 2nd respondent/de facto complainant, she had stated that she was trampled by the petitioner and the very own confessions/submissions of the de facto complainant run contrary to each other, which itself shows the genuineness of the de facto complainant.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that AR copy is not a substantive piece of evidence and that the victim had taken treatment in the hospital under AR No.1745943 and that she got discharged without the advice of the doctor. He



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further submitted that the trial in this case has already commenced and that there are fourteen (14) witnesses, out of whom, P.Ws.1 and 2 were already examined in chief and cross-examination was also done and at this stage, the petitioner has come up with this quash petition, only to drag on the trial proceedings, which is wholly unsustainable. Accordingly, he prayed for dismissal of this petition.

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

6. Though very many grounds have been raised by the learned counsel for the petitioner, in view of the fact that the trial has already commenced and that out of fourteen witnesses, two witnesses were examined in chief and cross, at this juncture, this Court is not inclined to interfere with the impugned proceedings in S.C.No.218 of 2022.

7. Further, the grounds raised by the petitioner in this quash petition are matters for trial and the same cannot be decided by this Court under Section 482 of Cr.P.C. and the petitioner has to perform face the trial.



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8. In view of the above, this criminal original petition stands dismissed. However, the petitioner is at liberty to raise all these grounds before the trial court and now that the trial is in progress, the trial court shall complete the trial proceedings in S.C.No.218 of 2022 as expeditiously as possible. Consequently, the connected miscellaneous petition is closed.

03.11.2025

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Sessions Judge,
Mahila Court,
Chengalpattu.
2. The Inspector of Police,
Sadras Police Station,
Kancheepuram District.
3. The Public Prosecutor,
Madras High Court, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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