



Crl.O.P.No.22758 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.22758 of 2025
and Crl.M.P.Nos.15568 & 15569 of 2025

1. B.Dhamodharaswamy
2. D.Bagyam ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
All Women Police Station,
Thudiyalur, Coimbatore.
2. S.Manju Sree ... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in C.C.No.423 of 2025 on the file of the Additional Mahila Judge (Magistrate Level) Judicial Magistrate, Alandur and quash the same.

For Petitioners : Mr.P.Chandrasekar
For R1 : Mr.R.Vinothraja
Government Advocate (Criminal Side)
For R2 : Mr.N.Chandran



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ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings against the petitioners in C.C.No.423 of 2025 pending on the file of the Additional Mahila Judge (Magistrate Level) Judicial Magistrate, Alandur, in connection with the case in Crime No.32 of 2021 registered based on the complaint given by the de facto complainant, who is the daughter-in-law of the petitioners, for the offence under Sections 498(A), 506(ii) of IPC, Section 4 of Dowry Prohibition Act against the petitioners and their son.

2. Heard both sides and perused the materials available on record.

3. The main contention of the petitioners is that no material evidence had been placed before the Investigation Officer against them and except for the statements of the witnesses, no specific allegation has been made. Hence, the petitioners seek to quash the charge sheet filed against the them.

4. Since the statements of the witnesses incriminate the petitioners, the veracity of the matter can be tested only during trial. In such view of the



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matter, this Court cannot conduct a roving enquiry while exercising its jurisdiction under section 482 Cr.P.C./528 BNSS. Therefore, I do not find any merits to quash the proceedings. However, it is left open to the petitioners to raise all their defence before the trial Court and the trial Court shall consider the same on its own merits and in accordance with law.

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

6. Accordingly, the Criminal Original Petition stands dismissed. However, considering the age of the petitioners, their personal appearance before the trial Court is dispensed with, except for receipt of copies, answering of charges, questioning under Section 313 Cr.P.C., passing of judgment, or any other date as may be specifically required by the trial Court. Consequently, connected miscellaneous petitions are closed.

14.08.2025

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Neutral Citation: Yes/No



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N. SATHISH KUMAR, J.

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To

1. The Inspector of Police,
All Women Police Station,
Thudiyalur, Coimbatore.
2. The Public Prosecutor,
High Court of Madras.

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