



Crl.O.P.No.2210 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.2210 of 2025

and

Crl.M.P.Nos.1387 and 1388 of 2025

Sasikala

... Petitioner

Vs.

1. State Represented by
Inspector of Police,
Irumbulikulurichi Police Station,
Ariyalur.

2. Vanamayil

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in C.C.No.83 of 2023 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Sendurai and quash the same.

For Petitioner : Mr.Kabilesh M.

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
for R1



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ORDER

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This Criminal Original Petition is filed to quash C.C.No.83 of 2023 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Sendurai.

2. The case of the prosecution is that on 04.05.2022 at about 5.00 p.m, due to property dispute, wordy quarrel arose between the *de-facto* complainant and the accused persons and that the accused persons abused the *de-facto* complainant in filthy language, assaulted and criminally intimidated her, due to which, the *de-facto* complainant sustained injuries and was admitted in the Jayamkondam Government Hospital as an in-patient. Hence the first respondent-Police registered a case in Crime No.75 of 2022 against the petitioner/A5 and four others. On completion of investigation, the first respondent-Police filed a final report before the learned District Munsif-cum-Judicial Magistrate, Sendurai and the same was taken on file in C.C.No.83 of 2023

3. The learned counsel for the petitioner submitted that the petitioner, who has been arrayed as A5, is innocent and a false case has



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been foisted against her. He further submitted that as per the evidence of the prosecution witnesses, no offences are made out as against the petitioner and further, there are no specific allegations against the petitioner. Hence, he prays to quash C.C.No.83 of 2023 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Sendurai.

4. The learned Additional Public Prosecutor appearing first respondent-Police submitted that due to property dispute, the petitioner herein and other accused persons abused the *de-facto* complainant in filthy language and assaulted her.

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

6. On a perusal of F.I.R. and statement recorded from the list of witnesses, this Court finds that there is a specific overt act attributed against the petitioner, especially, L.W.1 to L.W.4 have clearly stated about the specific overt act against the petitioner. In any event, it is a matter for trial and only after completion of trial, the involvement of the petitioner will come to light. Hence this Court is not inclined to entertain



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this petition by invoking Section 528 BNSS Act, 2023. However, the petitioner is at liberty to take all her defences before the trial Court in C.C.No.83 of 2023.

7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petitions are closed.

30.01.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

ms

To

1. The District Munsif-cum-Judicial Magistrate,
Sendurai.
2. The Inspector of Police,
Irumbulikulurichi Police Station,
Ariyalur.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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