



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24375 of 2025

Gomathi
D/o.Govindasamy,
22/16, Keela Vadugan Kuttai, VTC
Jaffarpet, Katpadi, Vellore District

Petitioner(s)

Vs

State rep by
the Inspector of Police
W-17, Peravallore, Chennai-600 082
Cr.No.410/2020

Respondent(s)

PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS Act to set aside the docket order passed in CC No.15 of 2021 dated 31.07.2025 and consequently direct the learned Additional Mahila Court, Egmore , Chennai to take on cognizance and issue summons to the accused.

For Petitioner(s): Mr. A.N. Rajan

For Respondent(s): Mr. R.Vinothraja,
Gov. Advocate (crl.side)



ORDER

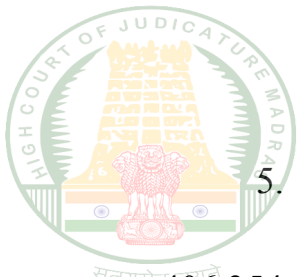
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Challenge has been made to the order of the Trial Court rejecting the additional final report filed .

2. Based on a complaint lodged by the petitioner/defacto complainant(wife) against her husband and in laws, a case in Crime No.410 of 2020 has been registered. A charge sheet has been filed and the same has been taken on file as CC No.15 of 2021 on the file of the Additional Mahila Court, Egmore, Chennai, where the trial is pending.

3. The grievance of the petitioner is that the additional final report filed by the respondent police has been rejected by the learned Additional Mahila Court, Egmore.

4. Heard both sides and perused the materials available on records carefully.



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5. It is relevant to note that earlier charges under Sections 498(A), 406, 354, 323, 506(i) IPC in CC No.15 of 2021 were registered against A1 to A4. This Court, by order dated 18.11.2022 in Cr.O.P.No.6023 of 2021, quashed the proceedings as against A2 to A4. The same has also been confirmed by the Hon'ble Supreme Court in SLP SR No.8665 of 2023 dated 21.07.2023. With respect to A1, this Court directed the Trial Court to complete the trial within six months.

6. Subsequently, further investigation was conducted and an additional charge sheet has been filed adding sections 494 and 114 , r/w.120(b), 34 and 109 IPC against eight accused including A2 to A4, whose case had already been quashed. The police again sought to implead all the accused . The Trial Court, vide order dated 31.07.2025, rejected the additional report. Against which, the defacto complainant has filed this petition.

7. At this stage, the further investigation to include the very same accused, whose proceedings have already been quashed by this Court is



nothing, but clear abuse of process of law. Merely because now the offence

under Section 494 is added, it cannot be said that all the accused once again

have to be included. It is further to be noted that Section 494 will be attracted

only against the husband or wife contracting such marriage not against others.

In such view of the matter,I do not find any merit in this petition.

8. Accordingly, this Criminal Original Petition is dismissed.

08-09-2025

Neutral Citation: Yes/No

mrp

To

The Inspector of Police

W-17, Peravallore, Chennai-600 082

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N.SATHISH KUMAR J.

mrp

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