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CRL A No. 1403 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1403 of 2025

E.Udayasankari
Daughter of Elumalai,
Door NO.101, T.H.Road, New
Washermenpet, Chennai - 600 081.

Appellant(s)

Vs

1. The State,
The Inspector of Police,
W5-Vepery All Women Police Station,
Vepery, Chennai.

2.G.Murugan
Son of Gunasekaran

3.Vasanth
Wife of Gunasekaran

4.Mythili
Daughter of Gunasekaran



5.Ganeshan

Son of Gunasekaran, All residing at Old
No.4/34/1, New No.6, AP Road, 1st
Lane, Choolai, Chennai - 600 112.

Respondent(s)

PRAYER

To set aside the judgement of Acquittal dated 18.07.2024 passed in CC.No.39 of 2023 by the Learned Additional Mahila Court, Egmore, Chennai.

For Appellant(s): Ms. E.Udayasankari
(party-in-person)

For Respondent(s): Mr.V.Meganathan,
Govt. Advocate (Crl. Side) for R1

Mr.T.Nimesh Varshan for R2 to R5

ORDER

Challenging the impugned acquittal order passed by the Addl. Mahila Court, Egmore, Chennai in C.C.No. 39 of 2023 dated 18.07.2024, the petitioner/defacto complainant preferred this Criminal Revision Petition.

2. Based on the complaint of petitioner/defacto complainant, the 1st respondent police against her husband and inlaws, C.C.No. 39 of 2023 was assigned for an offence under Sec.498-A and 506(i) r/w 34 of I.P.C. Pending proceedings, at the time of trial, she was examined as D.W.1 and she gave



evidence that after the marriage, they have started their marital life, thereafter, her husband and inlaws have harassed her. Hence, she gave a complaint, based on that, a final report was filed. But, after that, considering the welfare of the child, she had inclined to settle the issue and they lived together. Therefore, she had insisted not to proceed further proceedings. Accordingly, the trial court had dismissed the said case and acquitted all the accused. Now, she preferred this Criminal Revision Case stating that nearly one month, they have lived together, thereafter, her husband left matrimonial home and deserted her along with child without any care and maintenance. Hence, she came forward with this Criminal Revision Case to reopen the case, since her husband failed to maintain as he agreed before the dismissal of the said criminal case.

3. Notice issued. The defacto complainant had appeared in person. The 2nd respondent/A1 also appeared before this court and contested the matter through his counsel. The learned counsel for 2nd respondent would submit that still they are living together, but by taking advantage of the fact that the petitioner/defacto complainant is an advocate by profession, from the date of marriage, she only harassed him and his family members are no way connected with his matrimonial affairs. Hence, he raised objections stating that as on date, they are living together, but there is no proof, however, he is having video recordings.



4. On seeing the facts, it reveals that after withdrawal of the case, the 2nd respondent failed to maintain her according to the petitioner/defacto complainant. So, it is a matter for trial. Considering the facts and circumstances, in the interest of justice, this Court is inclined to set aside the findings rendered in C.C.No.39 of 2023 by the Addl. Mahila Court, Egmore, Chennai. The Addl. Mahila Court is directed to reopen the case in C.C.No.39 of 2023 and conduct fresh trial by giving opportunity to both parties. Furthermore, on seeing the facts, the petitioner's inlaws are added as accused 3 to 5 and their personal appearance is ordered to be dispensed with and as and when required for interrogation, they are directed to appear before the trial court. Accordingly, this Criminal Revision Case is disposed of.

27-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Addl. Mahila Court, Egmore, Chennai.

2. The Inspector of Police, W5-Vepery All Women Police Station,
Vepery, Chennai.

3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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