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CRL OP No. 26832 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 26832 of 2025 &
Crl.M.P.Nos.18263 and 18265 of 2025**

Reena

Petitioner(s)

Vs

1. The State Rep By Its,
The Inspector of Police, All Women
Police Station, Thirukoilur Kallakurichi
District

2. Annabakiyam

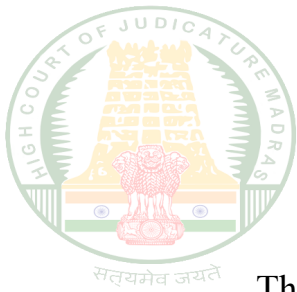
Respondent(s)

PRAYER

Criminal Original Petition filed under Section 528 of BNSS Act to call for the records in C.C.No.36 of 2023, on the file of the Learned Judicial Magistrate, Thirukoilur and quash entire proceedings as against the Petitioner/ Accused No.4.

For Petitioner(s): Mr.S.T.Varadarajalu

For Respondent(s): Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)



ORDER

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The petitioner seeks to quash the final report filed in C.C.No.36 of 2023. on the file of the learned Judicial Magistrate, Thirukovilur.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the 1st respondent and perused the documents placed on record.

3. According to the petitioner, she is arrayed as A.4 and she is no way connected with the matrimonial dispute, hence seeks to quash the case in C.C.No.36 of 2023.

4. It is the contention of the learned Government advocate (Crl.Side) appearing for the 1st respondent that the trial has already been commenced and the trial will be over after examining L.W.4 and L.W.8 alone.

5. At the outset, when substantive evidence is already on record, the trial court has to appreciate whether the offence has been made out or not. Hence at this stage, this Court cannot make a roving enquiry as to the factual aspects submitted by the petitioner. Hence, I do not find any merits to quash the case in C.C.No.36 of 2023 at this stage.



6. Accordingly, the learned Judicial Magistrate, Thirukovilur shall dispose of the case in C.C.No.36 of 2023 within a period of one month from

the date of receipt of copy of the order, since only two witnesses are to be examined. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petitions are closed.

07-10-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Judicial Magistrate,
Thirukovilur

2.The State Rep By Its,
The Inspector of Police, All Women
Police Station, Thirukoilur Kallakurichi
District

3. The Public Prosecutor,
High court, Madras



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N.SATHISH KUMAR J.

ssd

**CRL OP No. 26832 of
2025**

07-10-2025