



WEB COPY

CRL RC No. 2400 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2400 of 2025

AND

CRL MP NO. 21626 OF 2025

1. Vijithirumeni

W/o. Arun Kumar, 16- Nalaji Nagar,
Behind Gayathri Mahal, Kangeyam
Road, Tiruppur-641604. Also at Plot
No.9, Door No.32, 4th Cross Street,
S.B.O.Colony, Doak Road, Kochadai,
Madurai-625016.

Petitioner(s)

Vs

1. The State rep by The Inspector of
Police
South Police Station, Tiruppur.

2.A.S. Kumar

S/o. Arunachalam, No.16, Balaji Nagar,
kangeyam Road, Thiruppur-641604.

Respondent(s)

CRL RC No. 2400 of 2025

PRAYER

To set aside the impugned order dated 13.06.2025 in Crl.M.P.No.887 of 2025 on the file of the Judicial Magistrate II Tiruppur as devoid of merits,arbitrary and unconstitutional and pass such further or other orders.

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For Petitioner(s): S.Eshwar
Swetha D



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For Respondent(s): Dr.C.E. Pratap, Government
Advocate (Crl. Side) For R1

ORDER

This Criminal revision Case has been filed to set aside the impugned order dated 13.06.2025 in Crl.M.P.No.887 of 2025 on the file of the Judicial Magistrate II Tiruppur.

2. The brief facts of the case:

The second respondent herein filed a private complaint under Section 156(3) of Cr.P.C. before the Judicial Magistrate II Tiruppur, seeking to direct the Inspector of Police, Thiruppur South Police Station to conduct enquiry on the complaint of the second respondent herein dated 05.01.2024 and 14.10.2024, wherein, he stating that the house belongs to the second respondent herein was trespassed and occupied by the petitioner, who is the second respondent's daughter-in-law. The Judicial Magistrate, has directed the first respondent police to conduct enquiry and if at all they found any prima facie material directed to register the FIR. Challenging the same, the petitioner herein filed this Criminal Revision Case.

3. The learned counsel for the petitioner submits that the petitioner is daughter-in-law of the second respondent herein who filed a petition under Section 23(2) in Crl.MP. No. 4306 of 2024 in DVC No. 19 of 2024, seeking shared household right. To counterblast the proceedings, the second respondent herein lodged a false complaint against the petitioner herein as if she has trespassed into her own matrimonial house. Subsequently, the petition relating



to shared household was allowed on 30.05.2025. By suppressing the above order, the second respondent herein obtained a order from the Judicial Magistrate – II, Thiruppur for conducting further investigation regarding the frivolous complaints dated 05.01.2024 and 14.10.2024. Hence, he prays to set aside the order passed by the Judicial Magistrate No.II, Thruppur.

4. Heard both sides.

5. On perusal of records, the fact reveals that the petitioner herein is daughter-in-law of the second respondent herein/complainant. The petitioner herein filed a petition under Section 23(2) in Crl.MP. No. 4306 of 2024 in DVC No. 19 of 2024, seeking shared household right, by an order dated 30.05.2025, the Trial court has declared the shared household right to the petitioner herein and restrained the second respondent herein/father-in-law and his son and wife. In the said petition, the second respondent is also one of the party and also contested the case by filing objection. Therefore, the second respondent herein was very well aware of the DVC proceedings but suppressing the above proceedings the second respondent herein lodged a private complaint, which shows that he has not approached the Court with clean hands and abused the process of law. Hence, the order passed by the Judicial Magistrate II, Tiruppur, in Crl.M.P.No.887 of 2025 is hereby set aside. It is open to the second respondent to challenge the order passed in Crl.MP. No. 4306 of 2024 in DVC No. 19 of 2024 as per manner to law.

6. In the result, this Criminal Revision Case is allowed. Pending



petition(s), if any, is/are closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate II Tiruppur
2. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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