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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.R.C.No.2299 of 2025
and Crl.M.P.Nos.20879 & 20880 of 2025**

Paraman

...Petitioner

Versus

State rep. by
Station House Officer,
New Town Police Station,
Cuddalore District.
(Crime No.106/2021)

...Respondent

This Criminal Revision Case is filed under Section 397 r/w. 401 of Criminal Procedure Code praying to set aside the order passed in Crl.M.P.No.1170 of 2024 in C.C.No.223 of 2021 order dated 30.09.2025 on the file of the Judicial Magistrate, Additional Mahila Court, Cuddalore and consequently, allow the same.

For Petitioner	:	Mr.N.U.Pressanna
For Respondent	:	Dr.C.E.Pratap, Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed by the Petitioner seeking to set aside the Order dated 30.09.2025 in Crl.M.P.No.1170 of 2024 in C.C.No.223 of 2021 passed by the Judicial Magistrate, Additional Mahila Court, Cuddalore.



2. The brief facts of the case are that on 17.02.2021, at around 11.55 a.m., when one Mrs.Subbulakshmi, Advocate was watching the Court proceedings inside the Court Hall of Judicial Magistrate Court No.II, Cuddalore, Petitioner who is also practising as an Advocate and his wife Mrs.Gunavathy came there and abused the said Subbulakshmi in filthy language and unparliamentary words and also, threatened to kill her. Hence, the said Subbulakshmi had lodged a complaint dated 02.03.2021 before the Respondent Police in this regard. Based on her complaint, Respondent Police had registered a case in Crime No.106 of 2021 against the Petitioner and his wife for the offence under Sections 294(b) & 506(1) of IPC. After the completion of investigation, the Investigating Officer had filed a Charge Sheet before the Additional Mahila Court, Cuddalore on 15.03.2021 which was taken on file in C.C.No.223 of 2021. In the said case, Petitioner was arrayed as Accused No.1 and Petitioner's wife was arrayed as Accused No.2. In this background, Petitioner had filed a Petition in C.M.P.No.1170 of 2024 before the Court of Judicial Magistrate, Additional Mahila Court, Cuddalore praying to discharge him from the case in C.C.No.223 of 2021, but, the said petition was dismissed on 30.09.2025. Aggrieved by the same, Petitioner has filed the present Criminal Revision Case before this Court.



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3. The learned counsel for Petitioner submitted that Petitioner and his wife have been falsely implicated in this case. On 17.02.2021, no such incident took place inside the Court Hall of Judicial Magistrate Court No.II, Cuddalore as alleged by the prosecution. The allegation levelled against the Petitioner and his wife Gunavathy is absolutely a concocted story.

3.1. It is further submitted by the learned counsel for Petitioner that as per the prosecution case, the alleged incident took place on 17.02.2021 at 11.55 a.m., but, the *de facto* complainant had lodged the complaint only on 02.03.2021 and the same was registered by the Respondent Police on 02.03.2021 at 4.00 p.m. No reason was stated in the complaint of *de facto* complainant as to why the complaint was lodged after such an inordinate delay. That apart, if the said incident had taken place inside the Court Hall as alleged by the prosecution, even before the complaint was lodged by the *de facto* complainant, any of the Administrative Officials had lodged a complaint against the Petitioner and his wife, but, no one had lodged any such complaint to the Respondent Police.



3.2. The learned counsel for Petitioner also submitted that prior to the alleged occurrence, *de facto* complainant had already lodged a Complaint dated 13.02.2018 before the Thirupathiripuliyur Police Station stating that Petitioner's wife had stolen the jewels from the house of *de facto* complainant. Based on the said complaint, the Police Officials of Thirupathiripuliyur Police Station had registered a case in Crime No.58/2018 against the Petitioner and Petitioner's wife and investigation was also conducted. However, later, the Police Officials had closed the said case by stating that the case in Crime No.58 of 2018 was a Mistake of Fact. Therefore, due to previous enmity, the *de facto* complainant had lodged a complaint against the Petitioner and Petitioner's wife.

4. On the other hand, the learned Government Advocate (Crl.Side) appeared on behalf of Respondent Police submitted that on the alleged date of occurrence, when the *de facto* complainant was sitting inside the Court Hall, Petitioner and his wife came there and abused the *de facto* complainant in filthy language and unparliamentary words and also, threatened to kill her. He further submitted that the alleged incident was witnessed by 3 Advocates viz., Sasirekha, Chandrashekar and Vimal Kumar. The said witnesses are



direct eyewitnesses to the alleged incident. Due to the previous enmity, Petitioner and his wife had verbally abused and defamed the *de facto* complainant inside the Court premises and also, they engaged in criminal intimidation. Therefore, the learned Judicial Magistrate has rightly dismissed the discharge petition filed by the Petitioner.

5. Heard the learned counsel for Petitioner and the learned Government Advocate (Crl.Side) appearing on behalf of Respondent Police.

6. The case of the prosecution is that when the *de facto* complainant was sitting inside the Court Hall of Judicial Magistrate Court No.II, Cuddalore, Petitioner and his wife have abused the *de facto* complainant in filthy language and unparliamentary words and also, threatened to kill the *de facto* complainant. Therefore, *de facto* complainant had lodged a complaint against the Petitioner and his wife. Based on the complaint given by *de facto* complainant, Respondent Police had registered a case in Crime No.106 of 2021 against the Petitioner and his wife and filed a Charge Sheet before the Court of Judicial Magistrate, Additional Mahila Court, Cuddalore which was taken on file in C.C.No.223 of 2021.



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7. According to the prosecution, on 17.02.2021 between 11.30 a.m. to 12.00 p.m, the alleged incident is said to have been taken place inside the Court Hall of Judicial Magistrate Court No.II, Cuddalore. Indeed, if the alleged incident had taken place inside the Court premises, the Respondent Police ought to have examined any of the Court Staffs who were inside the Court premises at the time of incident. However, in the present case, the prosecution has examined none of the Court Staffs who were inside the Court premises at the time of incident.

8. As far as this case is concerned, there is no *prima facie* material to proceed against the Petitioner for the alleged offences under Sections 294(b) & 506(1) of IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. That apart, Petitioner is a senior citizen aged about 63 years and now, he is bedridden due to various health ailments. Without considering all these aspects, the learned Judicial Magistrate, Additional Mahila Court, Cuddalore has dismissed the discharge petition filed by the Petitioner.



9. Considering the above facts and circumstances of the case and taking note of the fact that there is no *prima facie* material to proceed against the Petitioner, this Court is inclined to allow this Criminal Revision Case by setting aside the impugned order and to discharge the Petitioner from criminal proceedings.

10. Accordingly, this Criminal Revision Case is allowed and the Order dated 30.09.2025 in CrI.M.P.No.1170 of 2024 in C.C.No.223 of 2021 passed by the Judicial Magistrate, Additional Mahila Court, Cuddalore is set aside. The Petitioner is discharged from the case in C.C.No.223 of 2021 on the file of Judicial Magistrate, Additional Mahila Court, Cuddalore. Consequently, connected Miscellaneous Petitions are closed.

07.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order



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- To
1. The Judicial Magistrate,
Additional Mahila Court, Cuddalore.
 2. The Station House Officer,
New Town Police Station,
Cuddalore District.
 3. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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