



Crl.R.C.(MD)No.263 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 13.11.2025

Pronounced on : 27.11.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.263 of 2025

G.Anila

... Petitioner

Vs.

1.S.Jebin

2.S.Sangeetha

3.The Inspector of Police,
Kollengode Police Station,
Palakkad,
Kerala – 678 506.

... Respondents

(R-3 is suo-motu impleaded as per order of the Court dated 25.06.2025 made in Crl.RC(MD)No.263 of 2025)

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 of BNSS, to call for the records and set aside the order passed in C.M.P.No.5008 of 2024 on the file of Judicial Magistrate-I, Kuzhithurai, dated 11.11.2024.

For Petitioner : M/s.P.Sonu

For R1 : Mr.A.Balakrishnan

For R2 : No Appearance



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For R3

: Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

This Criminal Revision Petition has been filed by the complainant wife challenging the order passed by the learned Trial Court in CMP.No. 5008 of 2024 dated 11.11.2024, in which the learned Judicial Magistrate No.1, Kuzhithurai, had dismissed the petition for non appearance of the complainant.

2. This Court, by an order dated 08.07.2025, directed the 1st respondent to return 15 sovereigns of gold jewelry along with Rs. 5,00,000/- (Rupees Five Lakhs only) as a fixed deposit in favour of his minor son, represented through revision petitioner, on or before 13.08.2025.

3. In this regard, several adjournments were previously made in this case by giving the opportunity for the 1st respondent to comply with the order dated 08.07.2025 passed by this Court which is extracted as



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follows:

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“2.When the matter was taken up for hearing, both the parties are present. The learned counsel appearing for the petitioner submitted that the matrimonial life between the revision petitioner and the first respondent had strained and as the result of which, they are already separated and they entered into mutual agreement. In which, the first respondent had agreed to four conditions. Among which, two conditions were already complied. However, the conditions 3 and 4 agreeing to return back 15 sovereigns of gold jewelry of the petitioner and to deposit a sum of Rs.3,00,000/- for the purpose of one time maintenance of the minor child of the revision petitioner is not so far, complied.

3.In the meanwhile, it is observed by this Court that the first respondent had deceived the Sub Registrar, Kollengodu Sub Registry by informing his matrimonial status as bachelor and had registered second marriage with the second respondent. This Court seriously viewing the said criminal action of the first respondent and further directing the first respondent to return 15 sovereigns of gold jewelry along with Rs.5,00,000/- Fixed Deposit in favour of the minor son through the revision petitioner on or before 13.08.2025.

4.The appearance of the Kollengodu Sub Registrar is



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noted and his appearance is dispensed with.

5.Post the matter on 14.08.2025. The first respondent is directed to appear before this Court along with FD receipt and 15 sovereigns of gold jewelry on 14.08.2025.”

4. The Sub Registrar Kollengode had duly appeared before this Court and had filed a report confirming that the respondent had contracted a second marriage and had registered the same before the Sub Registry, Kollengode, by suppressing the factum of the prevalence of the first marriage, which was subsisting between the revision petitioner and the first respondent.

5. A careful perusal of the records placed before me would reveal that only to evade the agreed settlement between the parties, the case has been prolonged, and on that particular day, the revision petitioner was unable to appear before the learned Trial Court due to the challenges faced by her as a single mother. In view of the same, the impugned order is hereby set aside. The matter is remanded back to the learned Judicial Magistrate-I, Kuzhithurai.



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6. With the above observations, this Criminal Revision case is allowed.

27.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Sml

To

- 1.The Judicial Magistrate-I,
Kuzhithurai.
- 2.The Inspector of Police,
Kollengode Police Station,
Palakkad,
Kerala - 678 506.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

Sml

Order made in
CrI.R.C.(MD)No.263 of 2025

Dated: 27.11.2025