



CrIOP(MD)No.12321 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.12321 of 2025

Pakkiyam @ Thamarai

... Petitioner

Vs.

1.The State of Tamil Nadu
The Inspector of Police,
Dhalavaipuram Police Station
Virudhunagar District. [Crime No.230 of 2021]

2.Arockiaselvi

...Respondents

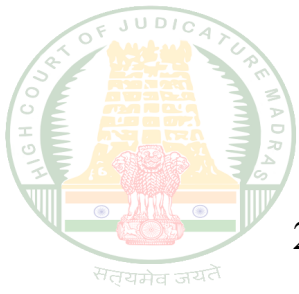
Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records connected with the case in CC.No.18 of 2022 on the file of the Judicial Magistrate, Rajapalayam and quash the same as illegal as against the petitioner.

For Petitioner : Dr.R.Alagumani

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

The petitioner / accused No.2 in CC.No.18 of 2022 on the file of the learned Judicial Magistrate, Rajapalayam has filed this petition to quash the proceedings pending against him.



CrlOP(MD)No.12321 of 2025

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2. Based on the complaint of the 2nd respondent, the police have registered the case in Crime No.235 of 2021 and also filed the final report as against the petitioner and 5 others. The petitioner / A4 alone has moved this petition on the ground that there is no specific overt act, as against this petitioner and even the entire family has been roped in this case.

3. The learned Government Advocate (Crl Side) by referring to the statement of the defacto complainant recorded under Section 161(3) CrPC submitted that there is specific overt act as against this petitioner that he along with others has kicked the defacto complainant on her stomach. The learned Government Advocate has relied on the certificate issued by the Doctor and his statement.

4. This court considered the rival submissions made.

5. The petitioner's daughter is accused No.1. It appears that the case has been registered as against the entire family members. This court is not inclined to quash the proceedings on the grounds raised by the petitioner and it is a matter for trial. Therefore, this petition is closed



CrlOP(MD)No.12321 of 2025

with liberty to the petitioner to raise all these grounds before the trial court. Consequently connected miscellaneous petitions are closed.

6.The petitioner has insisted for dispensing with the personal appearance of the petitioner before the trial court. The petitioner shall file necessary application for dispensing with her personal appearance before the trial court and the trial court shall decide it on merits.

22.07.2025

DSK

To

- 1.The Judicial Magistrate,
Rajapalayam.
- 2.The Inspector of Police,
Dhalavaipuram Police Station
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrlOP(MD)No.12321 of 2025

B.PUGALENDHI,J

DSK

CrlOP(MD)No.12321.of 2025

22.07.2025