



Crl.O.P.(MD)No.13394 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13394 of 2025 and
Crl.MP(MD) Nos.10626 & 10628 of 2025

1. Sasidevi
2. Manikandan
3. Vinothini

... Petitioners

Vs

- 1.The State of Tamilnadu, Rep.,
By the Inspector of Police,
AWPS Tallakulam Police Station,
Madurai City.
(Cr.No.26/2024).

- 2.Sabitha

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the proceedings in C.C.No.2120 of 2024, on the file of the Learned Judicial Magistrate Additional Mahila Court, Madurai and quash the same as against these petitioners

For Petitioners : Mr.P. Balasubramanian
For R1 : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.13394 of 2025

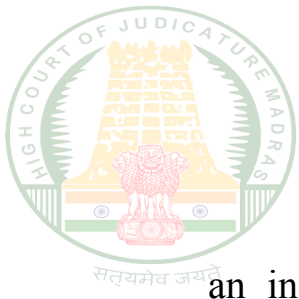
WEB COPY

ORDER

The petitioners, who are accused 2 to 4 in CC No.2120 of 2024 have approached this Court, to quash the above proceedings pending as against them.

2.The above case has been registered on the complaint of the defacto complainant as against these petitioners and her husband. The investigation agency, after conducting the investigation, has filed the final report in CC No.2120 of 2024, for the offence under Sections 498A, 406, 294(b) & 506(ii) IPC, which is pending before the Judicial Magistrate Additional Mahila Court, Madurai.

3.The learned counsel for the petitioners submits that the petitioners are the mother-in-law, brother-in-law, wife of brother-in-law of the defacto complainant. The marriage between first petitioner's son and the defacto complainant was performed at Madurai on 14.12.2023. Thereafter, they were residing at Coimbatore. There was

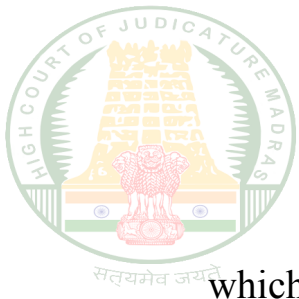


Crl.O.P.(MD)No.13394 of 2025

WEB COPY

an incident on 31.03.2024, pursuant to which, the husband of the defacto complainant/A1 has lodged a complaint as against the defacto complainant before the Ramanathapuram police station, Coimbatore and the same was treated as petition enquiry in CSR No.149 of 2024. The husband has also filed a divorce application as against the defacto complainant before the Family Court, Coimbatore, in HMOP No. 1114 of 2024 and the same is pending. Since a complaint has been lodged as against the defacto complainant and a divorce application has also been filed, this complaint has been lodged by the defacto complainant as against her husband and her in-laws, in order to harass them. The learned counsel further submits that the first petitioner/ mother-in-law, is an aged woman and therefore, her appearance before the trial Court may be dispensed with.

4.Mr.A.S.Abul Kalaam Azad, learned Government Advocate (Crl. Side), who takes notice for the first respondent submits that the marriage between the first accused and the defacto complainant was performed on 14.12.2023 and within 6 days from the date of marriage, the defacto complainant has attempted to commit suicide, for



Crl.O.P.(MD)No.13394 of 2025

WEB COPY

which, she was admitted in hospital. On 20.12.2023, the complaint has been lodged for dowry harassment and the respondent police after collecting the materials have filed the final report and there are specific overt act attributed as against the petitioners and therefore, he strongly objects for quashing of this proceedings.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

6.Though the petitioners have raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Court is not inclined to entertain this petition and accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioners to raise all these grounds before the trial Court, during trial. Insofar as the request of the first petitioner for dispensing with her personal appearance before the trial Court is concerned, this Court is of the view that it is upto the petitioner to file necessary application, under Section 228 of BNSS (205 of Cr.P.C),



Crl.O.P.(MD)No.13394 of 2025

WEB COPY

before the concerned Court and if the Court is satisfied with the reasons assigned therein and it is up to the trial Court to take a call, on the request of this petitioner for dispensing her personal appearance during the trial. Consequently, connected Miscellaneous Petitions are closed.

11.08.2025

NCC : Yes/No
Index : Yes/No
vrn

To

- 1.The Judicial Magistrate Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
AWPS Tallakulam Police Station,
Madurai City.



WEB COPY



Crl.O.P.(MD)No.13394 of 2025

B.PUGALENDHI, J.

vrn

Order made in
Crl.OP(MD)No.13394 of 2025 and
Crl.MP(MD) Nos.10626 & 10628 of 2025

11.08.2025