



CrI.O.P.(MD)No.13597 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.13597 of 2025
and CrI.M.P.(MD)Nos.10826 & 10828 of 2025

B.Kuraisha

... Petitioner

Vs.

1.The Inspector of Police,
District Crime Branch Police,
Tiruchirappalli District.

2.C.Baskaran

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records relating to the case in C.C.No.386 of 2022 on the file of the Judicial Magistrate Court-I, Trichy and quash the same as far as the petitioner/2nd accused is concerned.

For Petitioner

: Mr.D.Selva Nayagam,
for M/s.S.Shujath

For R1

: Mr.A.S.Abul Kalaam Azad,
Government Advocate(CrI.side)



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ORDER

The petitioner, who is A2 in C.C.No.386 of 2022 on the file of the Judicial Magistrate Court-I, Trichy, has filed this petition to quash the said proceedings.

2.The prosecution case is that the accused persons have received a sum of Rs.63,00,000/- from the defacto complainant and others, on the false promise of getting a government job and thereafter, they failed to do the same. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has been added as an accused in this case, only because she happened to be wife of A1. Now, she is not living with A1 and they have obtained divorce, on 19.02.2020. Further, he submits that the petitioner has been implicated only based on the confession statement of A1. Apart from the confession statement, according to the learned counsel for the petitioner, there is no material as against the petitioner and there is no relationship between her and A1.



WEB COPY 4.The learned Government Advocate(Crl.side) appearing for the first respondent Police submits that the petitioner is the wife of A1. A1 along with the petitioner said to have introduced themselves to the defacto complainant and others stating that they would arrange job and received Rs.63,00,000/- from 12 persons. All the victims have uniformly given statement that A1 received money along with the petitioner herein, on a particular date. Since the petitioner is working as a Teacher in a School, the dates referred by the defacto complainant and other victims have also been referred by the investigating agency with the Headmaster. The Headmaster has also given a statement that on the particular dates, the petitioner availed leave. Therefore, the statements given by the victims have been corroborated with the statement of the Headmaster. Though the petitioner claims that she obtained divorce in the year 2020, the learned Government Advocate(Crl.sid) submits that the occurrence taken place in the year 2018 and A1 was arrested in the petitioner's house, on 24.11.2018.

5.This Court has considered the submissions made on either side and perused the available records.



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WEB COPY 6. This Court is not inclined to quash the proceedings mere because the petitioner got divorce from A1. The grounds raised by the petitioner can be appreciated only by the trial Court and therefore this Court is not inclined to entertain this petition. The petitioner claims that she is working at Tirutani and it is very difficult to her to appear before the Judicial Magistrate Court-I, Trichy and therefore, her appearance may be dispensed with. The petitioner can very well raise all these grounds before the trial Court under Section 228 BNSS. Accordingly, this criminal original petition is dismissed with liberty to raise all the grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

14.08.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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- 1.The Judicial Magistrate Court-I,
Trichy.
- 2.The Inspector of Police,
District Crime Branch Police,
Tiruchirappalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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