



Crl.O.P.(MD)No.15011 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15011 of 2025

and

Crl.M.P.(MD).Nos.12196 and 12198 of 2025

Iyyappan

... Petitioner / Sole Accused

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thirukkurungudi Police Station,
Thirukkurungudi,
Tirunelveli District.
(Crime No.69 of 2021)

...1st Respondent/Complainant

2.Muthulakshmi

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in relation to C.C.No.410 of 2022 on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District in connection with Crime No.69 of 2021 on the file of the Inspector of Police, Thirukkurungudi Police Station, Thirukkurungudi, Tirunelveli District and subsequently quash the same as devoid of merits.



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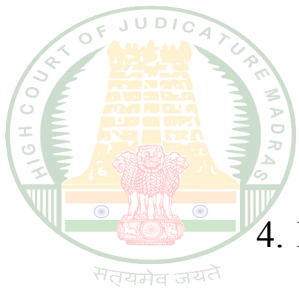
For Petitioner : Mr.S.Palanivelayutham
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner has sought for quashing of the final report in C.C.No.410 of 2022 filed for the offences under Section 294(b), 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The allegation in the final report is that the petitioner, due to difference of opinion with his wife, went to the house of the defacto complainant, who is his mother-in-law and abused her in filthy language and threatened her with a knife and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations against the petitioner are false; that the defacto complainant had made false allegations to arm-twist the petitioner to settle the differences between him and his wife; that no independent witnesses were examined by the prosecution; and hence, the impugned prosecution is an abuse of process of law.



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4. Heard the learned Additional Public Prosecutor appearing for the first respondent.

5. A reading of the final report suggests that the allegations *prima facie* attract the offences under Section 506(2) IPC and Section 4 of Tamil Nadu Woman Harassment Act. The question as to whether the allegations are false cannot be adjudicated in the quash petition. The petitioner has to raise all his defences before the Trial Court. It is needless to say that the learned Magistrate may consider the defence of the petitioner without being influenced by any of the observations made in this order.

6. With the above observations, this Criminal Original Petition is dismissed.

7. The learned counsel for the petitioner would submit that the petitioner is employed and his appearance before the Trial Court may be dispensed with.

8. Considering the said request, the petitioner's appearance before the learned Magistrate is dispensed with except when his appearance is required by the learned Magistrate for the progress of trial. However, if the petitioner fails



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to appear on the directions issued by the learned Magistrate for appearance, the order passed by this Court in dispensing with the personal appearance of the petitioner shall lose its efficacy. Consequently, connected CrI.M.P.(MD).No. 12196 of 2025 is closed.

11.09.2025

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

To

- 1.The Judicial Magistrate Court,
Valliyoor, Tirunelveli District.
- 2.The Inspector of Police,
Thirukkurungudi Police Station,
Thirukurunkudi,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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SUNDER MOHAN, J.

Lm

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