



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 3850 of 2023

and

CRL MP Nos.2431 & 3300 of 2023

1. Muthu

2.Elakanni

Petitioner(s)

Vs

1. State Represented by
Inspector of Police,
Gingee Police Station,
Villupuram District.
Crime No. 3010 of 2020

2. Radha

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the proceedings in S.C.No.247 of 2022 pending on the file of the Mahila Court at Villupuram and quash the same.

For Petitioner(s): Mr.S.Sathish Rajan

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed to quash the proceeding in S.C.No.247 of 2022 on the file of the Mahila Court, Villupuram.

2. The petitioners are arrayed as accused Nos.2 and 3 in S.C.No.247 of 2022 on the file of the Mahila Court, Villupuram. The second respondent, who is the mother of the victim, lodged a complaint alleging that her daughter had married to the first accused, who is the son of the petitioners herein. While so, due to some misunderstandings, the daughter of the 2nd respondent and the first accused got separated as if the first accused alleged to have been harassed the deceased, who is the daughter of the second respondent. On 27.11.2020, there was a quarrel between them, during which, the first accused allegedly abused his wife/deceased, and subsequently, she committed suicide by hanging. Hence, the complaint.

2.1. Originally, the case was registered for the offence under Section 302 of IPC against the petitioners herein and the 1st accused. After completion of the investigation, the offence was altered to Sections 498A and 306 of IPC against the 1st accused and a final report was filed only as against the first accused, dropping all the charges against the petitioners herein. However, the petitioners along with the 1st accused, were summoned to appear before the Learned



Magistrate. Accordingly, they appeared and the matter was committed to the trial Court. Pursuant thereto, the trial Court wrongly issued summons to the petitioners herein, thereby forcing them to undergo the ordeal of trial in spite of the fact that the charges against them had been dropped. On the said ground, the petitioners have filed the present petition, seeking to quash the proceedings as against them namely accused Nos.2 and 3. However, the case is pending from the year 2023 without any interim order. Therefore, the trial Court proceeded with the trial and the prosecution has examined P.W.1 to P.W.8.

3. Heard both sides and perused the entire materials available on records.

4. On perusal of the charge sheet and also the alteration report, it reveals that the FIR was registered against the accused Nos.1 to 3. However, after completion of the investigation, the respondent/police filed the final report against the first accused, since there were no specific allegation against the accused Nos.2 and 3.

5. It is also seen from the final report that the first respondent has categorically stated that the petitioners were accused persons not charge-sheeted. However, the trial Court has proceeded with the trial without any charges against the petitioners. It appears that the trial Court has mechanically



framed the charges against the petitioners, which is arbitrary and non-est in law.

WEB COPY

6. In view of the above submission made by the learned counsel on either side and on perusal of the entire proceedings, this Court is of the view that the charges against the petitioners cannot be sustained and the same is liable to be set aside.

7. Accordingly, the proceedings in S.C.No.247 of 2022 pending on the file of the Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram are quashed as against the petitioners herein. The trial Court is directed to proceed with the trial against the first accused and complete the trial, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

02-03-2026

Jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WEB COPY

CRL OP No. 3850 of 2023



G.K.ILANTHIRAIYAN J.
jd

To

1. The Magalir Neethi Mandram (Fast Track Mahila Court),
Villupuram.

2. The Public Prosecutor,
Madras High Court, Chennai.

**CRL OP No. 3850 of
2023**

02-03-2026