



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16266 of 2026

and CrI.M.P.Nos.10714 & 10716 of 2026

Punithamala
W/o. Sundaramoorthy,
Perumal Koil Street,
Kunakaranai Village,
Nugumpal Post, Cheyyur Taluk,
Chengalpattu District.

..Petitioner(s)

Vs

1. The State Rep. by The Inspector of Police
Chithamur Police Station,
Chengalpattu District.
Cr. No.983/2020.
2. Jayakumar
S/o. Munusamy,
No.6, Perumal Koil Street,
Kunakaranai Village,
Nugumpal Post,
Cheyyur Taluk,
Chengalpattu District.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the Charge Sheet in CC.No.420/2025 on the file of the District Munsif Cum Judicial Magistrate at Cheyyur, quash the same in so far it relates to this petitioner.

For Petitioner(s):

Mr.G. Magesh Kumar

For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)
for R1



ORDER

This Criminal Original Petition is filed to call for the records relating to the Charge Sheet in CC.No.420/2025 on the file of the District Munsif Cum Judicial Magistrate at Cheyyur, and quash the same.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the case of the petitioner is that the version in the First Information Report is diametrically opposite to the version that was made to the police in the statements given before them and what is recorded in the final report. Further, there are grave discrepancies with reference to whether A1 or A2 attacked the petitioner or not. As far as the petitioner – A2 is concerned, there is no specific overt act except the allegation of verbal abuse. Therefore, the petitioner submits that this is a fit case to be entertained by this Court.

3. *Per contra*, the learned Government Advocate (Criminal Side) would submit that all these are defences which are now the petitioner wants to take before this Court and cannot be entertained for the purpose of considering an application to quash the case against the petitioner. He would point out to the material that is contained in the oral statement of the witnesses recorded during the investigation.



4. When the entire case is about accosting the defacto complaint, threatening her with abusive language, attacking her and causing injury, the submissions that are made by the learned counsel for the petitioner are in the nature of defences that should be taken by way of cross examination. Even the discrepancy or embellishment, if any, is also a question for consideration during the course of the trial and therefore, the final report cannot be quashed on the said grounds.

5. Granting liberty to the petitioner to raise all such grounds during the course of trial, this Criminal Original Petition stands disposed of. Considering the fact that the petitioner is also a lady, except for necessary hearings that are insisted by the Trial Court, for all the other hearings, the appearance of petitioner before the District Munsif Cum Judicial Magistrate at Cheyyur, in connection with CC.No.420/2025 is dispensed with. Consequently, the connected miscellaneous petition is closed.

29-06-2026

Neutral Citation: Yes/No

JER



D.BHARATHA CHAKRAVARTHY, J.

JER

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To

1. The Inspector of Police
Chithamur Police Station,
Chengalpattu District.
Cr. No.983/2020.
2. The District Munsif Cum Judicial Magistrate at
Cheyyur.
3. The Public Prosecutor
High Court of Madras.

CRL OP No. 16266 of 2026

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