



WEB COPY



Crl.R.C. No. 1730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No. 1730 of 2024

Sarathkumar,
S/o. Govindan,
Mariyamman Kovil Street,
Puthunagar, Kalgunam Colony,
Kurinjpadi Taluk,
Cuddalore District.

..Petitioner

Vs.

State rep. by
The Station House Officer,
Kurinjpadi Police Station,
Cuddalore District.
(Cr.No. 729 of 2020)

..Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of
BNSS to call for records relating to the order dated 08.04.2022 in C.M.P.
No. 781 of 2021 in S.C. No. 83 of 2021 on the file of Sessions Judge,
Mahila Court, Cuddalore and set aside the same.



Crl.R.C. No. 1730 of 2024

For Petitioner :: Mr.K. Gandhi kumar
For Respondent :: Mr.R. Vinothraja,
Govt. Advocate (Crl.Side)

ORDER

The revision challenges the dismissal of the discharge petition filed by the petitioner by order dated 08.04.2022 in C.M.P. No. 781 of 2021 in S.C. No. 83 of 2021 on the file of the learned Sessions Judge, Mahila Court, Cuddalore.

2. The petitioner is an accused in S.C. No. 83 of 2021 for the offences under Sections 498-A and 304 B IPC. It is alleged by the prosecution that the petitioner's wife died under suspicious circumstances within 7 years of marriage; that she was subjected to cruelty in connection with dowry demand and thereby, the petitioner is guilty of the aforesaid offences.

3. Learned counsel for the petitioner would submit that the prosecution case cannot be sustained; that the dying declaration given by the deceased before the Magistrate would show that the deceased had sustained



Crl.R.C. No. 1730 of 2024

burn injuries due to accidental fire and that the petitioner is not guilty of any of the aforesaid offences.

4. Per contra, learned Government Advocate (Crl.Side) would submit that the trial is at the fag end and the case is now posted for examination of the Investigating Officer.

5. Since the trial is at the fag end and when this Court expressed that it is not inclined to entertain the revision at this stage, the learned counsel for the petitioner sought permission to withdraw the revision with liberty to raise all the points before the Trial Court. He has also made an endorsement to that effect in the case bundle.

6. It is brought to the notice of this Court that pending the above revision, this Court had directed the District Legal Services Authority, Cuddalore, to disburse the compensation amount of Rs. 3 lakhs to the children of the deceased as interim compensation and that out of three lakhs, one lakh each shall be deposited in Fixed Deposit account of the minor children in a nearby post office. However, it is submitted by the learned



Crl.R.C. No. 1730 of 2024

counsel for the petitioner that the said order could not be complied with by the District Legal Services Authority, Cuddalore, as no account could be opened in the name of minors in the post office and that the amount could be directed to be deposited in any Nationalised Bank.

7. In view of the said submission, the order dated 18.09.2025 is modified as follows:

(i) The District Legal Services Authority, Cuddalore, shall disburse the compensation amount of Rs.3 lakh as interim compensation to the children of the deceased;

(ii) The District Legal Services Authority, Cuddalore, shall deposit a sum of Rs.1 lakh each in favour of the minor children in any Nationalised Bank and the minor children would be entitled to withdraw the interest accruing thereon and

(iii) The remaining amount of Rs.1 lakh shall be handed over to the mother of the petitioner to



Crl.R.C. No. 1730 of 2024

WEB COPY

enable her to maintain the children, who are in her care
and custody.

8. With the above observation, the revision stands
dismissed as withdrawn with liberty to the petitioner to raise all the points
before the Trial Court.

27.01.2026

Neutral Citation: Yes/No

nv

To

1. The Sessions Judge,
Mahila Court, Cuddalore.
2. The Station House Officer,
Kurinjipadi Police Station,
Cuddalore District.
3. The District Legal Services Authority,
Cuddalore.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C. No. 1730 of 2024

SUNDER MOHAN,J.

nv

Crl.R.C. No. 1730 of 2024

27.01.2026