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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 18977 of 2026

CNR:{HCMA011591742026}

and

CRL MP Nos. 12644 & 12646 of 2026

1. Kevin Arnold Rossario

2. Lavanya Meri

..Petitioner(s)

Vs

1. State, Rep. by, The Inspector of Police,
   Ramanathapuram Police Station,
   Coimbatore District.
   Crime No.178 of 2025

2. Arthi Christy
   D/o.Raymond,
   D/No.299, Vincent Road,
   Ramanathapuram,
   Coimbatore District.

..Respondent(s)

PRAYER: Criminal Original Petition filed under section 528 of BNSS, praying to call for the records relating to C.C.No.929 of 2026 on the file of the Learned Additional Mahila Court, Judicial Magistrate Level, Coimbatore and quash the same.

For Petitioner(s): Mr. V.Parthiban for Mr. A.Saranraj

For Respondent(s): Mr. A.Amarnath, Additional Public Prosecutor for R1
Ms. T.Hemalatha for R2

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ORDER

The present petition is filed seeking to quash the proceedings in C.C.No.929 of 2026 on the file of the Additional Mahila Court, Judicial Magistrate Level, Coimbatore.

2. On the complaint lodged by the 2nd respondent, the 1st respondent registered the F.I.R.No.178 of 2025 for the offenses under Sections 329, 324(2), 296(b), 115(2), 74, 351(2) r/w section 49 of BNS, 2023 and Section 4 of the Tamil Nadu Provision Harassment of Woman Act, 2002, alleging that on 06.01.2025, the accused came to the house of defacto complainant in connection with certain gold jewels belonging to the accused were missing, due to which an altercation had taken place and the accused assaulted the defacto complainant by cheppal and threatened her with dire consequences. The accused also abused the defacto complainant by pulling her chudithar. After completion of investigation, final report was filed and the same has been taken cognizance by the Trial Court.

3. Heard the learned counsel on either side and perused the materials available on record.

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4. A perusal of the records would reveal that the petitioners and the defacto complainant are close relatives. The 1st accused lodged a complaint against the 2nd respondent before the Kashimira Police Station, Thane, Maharashtra and the same has been registered in Crime No.12 of 2025 dated 09.01.2025, for the offence under Section 305(a) of BNS alleging theft of gold jewels weighing 576 grams were missing. The 2nd respondent is none other than the maternal aunt of the 1st petitioner herein. The accused went to the house of the 2nd respondent and enquired about the same. During the enquiry, there was wordy altercation and the accused threatened her with dire consequences. Even though the defacto complainant stated that she was assaulted by the accused, However, she didn't subjected for any medical treatment and no Doctor has been examined by the prosecution in order to attract the charges.

5. The counsel for the 2nd respondent submits that after registering F.I.R in Crime No.12 of 2025, the second respondent was exonerated from the charges, since there is no evidence is available against her. The F.I.R in Crime No.12 of 2025 is pending for investigation, since the jewels were missing. That apart, the alleged occurrence took place on 06.01.2025, but the complaint was lodged on 22.01.2025 and there is absolutely no explanation for the delay in lodging the complaint. Therefore, in order to escape from the clutches of law in Crime No.12 of 2025 registered on 09.01.2025 on the complaint dated 08.01.2025, the present complaint was foisted as against the petitioners on

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22.01.2025 for the alleged occurrence took place on 06.01.2025. Therefore, the entire proceedings are nothing but an abuse of process of law, which is liable to be quashed.

6. Accordingly, this petition is allowed and consequently, the proceedings in C.C.No.929 of 2026 on the file of the Additional Mahila Court, Judicial Magistrate Level, Coimbatore, is quashed. Consequently connected miscellaneous petitions are closed.

30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. Additional Mahila Court,
   Judicial Magistrate Level, Coimbatore

2. The Inspector of Police,
   Ramanathapuram Police Station,
   Coimbatore District.

3. The Public Prosecutor,
   Madras High Court.

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G.K.ILANTHIRAIYAN J.

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