



WEB COPY



Crl.R.C.No.2149 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2149 of 2025

and

Crl.M.P.No.19905 of 2025

1.Naomi Julia Dewan

2.Lieutenant Colonel Sandeep Dewan (Retd.)

...Petitioners

-Vs-

State Represented by
The Sub-Inspector of Police,
All Women Police Station,
Udhagamandalam – 643 001.

...Respondent

PRAYER: Criminal Revision Case filed under Sections 438 r/w 442 and 529 of the BNSS, praying to set aside the impugned order dated 12.08.2025 in Crl.M.P.No.489 of 2025 in C.C.No.3 of 2023 passed by the Additional Mahila Court, Udhagamandalam, and consequently, permit the petitioners to conduct the prosecution in C.C.No.3 of 2023 pending on the file of the Additional Mahila Court, Udhagamandalam.

For Petitioners : Mr.Anirudh A Sriram

For Respondent : Mr.R.Vinoth Raja,
Government Advocate (Crl.Side)



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ORDER

The revision challenges the dismissal of the petitioners' application filed under Section 302 of the Code of Criminal Procedure, seeking permission to permit the petitioners to conduct the prosecution in C.C.No.3 of 2023 pending on the file of the Additional Mahila Court, Udhagamandalam.

2. The first petitioner is the victim in the case registered against the accused, who are facing trial in C.C.No.3 of 2023 for offences under Sections 354, 354A, 354(B), 354(D), 351, 342, 503 of the Indian Penal Code and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3. After the prosecution evidence was closed, at the stage when the accused filed an application under Section 311 of the Code of Criminal Procedure to summon the petitioners and other witnesses for further cross-examination, the petitioners filed the present application under Section 302 of the Code of Criminal Procedure.

4. The said application was filed mainly on the ground that the prosecution was not being conducted effectively and that the prosecutor had a personal grudge against the victim girl. The Trial Court, upon consideration, found that there were no exceptional circumstances warranting permission to



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the petitioners to conduct the prosecution and accordingly dismissed the application.

5. Heard the learned Government Advocate (Crl. Side) for the respondent and perused the materials available on record.

6. Without going into the correctness or otherwise of the allegations raised against the prosecution, and considering the stage of the case, this Court is of the view that the ends of justice would be met if the petitioners are permitted to engage a counsel of their choice and assist the prosecution at every stage of the proceedings. The counsel however cannot conduct the prosecution. The learned counsel so engaged by the petitioners shall also be entitled to advance oral submissions before the Trial Court.

7. With the above observations, the revision is disposed of. The Trial Court is directed to dispose the case as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

cda
Index : Yes/No
Speaking Order/Non Speaking Order

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SUNDER MOHAN, J.

cda

To

- 1.The Additional Mahila Court, Udhagamandalam.
- 2.The Sub-Inspector of Police,
All Women Police Station,
Udhagamandalam – 643 001.
- 3.The Public Prosecutor,
High Court, Madras.

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