



WEB COPY

CRL RC No. 2269 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24-02-2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CrI.RC No. 2269 of 2025  
and Cr.M.P.No.20710 of 2025**

Pappa  
W/o.Chinnaiyan @ Chinnappan,  
No.220, Panchanampatty,  
Omalur Taluk, Salem District.

...Petitioner(s)

Vs.

1. The State Rep by,  
The Inspector of Police,  
Omalur Police Station,  
Salem District.

2. Saranya  
W/o.Rajamanikkam Parappatti  
Chinthamaniyur post,  
Metter Taluk, Salem District.

(R2 is impleaded as per the order of this  
court dated 17.12.2025 in  
CrI.MP.No.24406 of 2025 in  
CrI.RC.No.2269 of 2025)

...Respondent(s)

**PRAYER:** Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records in C.M.P.No.2236 of 2024 dated 07.10.2025 on the file of 1<sup>st</sup> Additional District and Sessions Judge, Salem and set aside the same and subsequently discharge the petitioner from the case in S.C.No.127 of 2022.

For Petitioner(s): Mr.M.Subash



For R1 : Mr.R.Vinothraja  
Government Advocate (Crl. Side)  
For R2 : No Appearance

### **ORDER**

The revision challenges the dismissal of the discharge petition filed by the petitioner, who is arrayed as A3 in S.C.No.127 of 2022.

2. It is the case of the petitioner that A1 and A2 had prior enmity against the deceased, since the deceased had cheated them several lakhs of rupees by promising to supply iridium; that thereafter, on 19.01.2015, the first accused had taken the deceased to his house and kept in wrongful confinement and attacked her with sticks; and that the deceased died on 23.02.2015 at about 7.20 a.m, due to head injuries. It is the further case of the prosecution that the petitioner is the wife of the A1; and that she had also attacked the deceased with the above said common intention to cause the death of the deceased.

3. The petitioner sought discharge on the ground that the petitioner is implicated only on the confession of the co-accused; that there is no evidence to show that the victim was wrongfully confined in the house of the first accused, her husband; that the witnesses relied upon by the prosecution do not say about the alleged attacks; and since there is no acceptable material to proceed against the petitioner, the petitioner ought to be discharged. The trial court dismissed



the said petition on the ground that the point raised by the petitioner cannot be adjudicated in a discharge petition.

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4. The learned counsel for the petitioner would submit that the prosecution relies only upon the confession of the accused and that of the co-accused and that, in the absence of any material, the petitioner, who is a lady, cannot be made to face trial and therefore prayed for discharge.

5. The learned Government Advocate, per contra, pointed out that the statement of L.W.19 and L.W.20 would show that the victim was illegally confined in the house of the first accused, who is none other than the husband of the petitioner; that the statements of the those two witnesses would show that the petitioner had also actually participated in the attack made by the first accused on the deceased and that since there are sufficient materials to frame charges against the petitioner, the impugned order cannot be faulted.

6. As could be seen from the statements of L.W.19 and L.W.20, the victim was wrongfully confined by A1 from 19.01.2015 to 23.02.2015; and that on 23.02.2015 passed away due to head injuries. The witnesses also stated that the deceased was beaten up by both the petitioner and her husband. This Court at



this stage is not expected to examine whether their statements are true. It is for the Trial Court to consider the evidence of the witnesses in the trial. Therefore, this Court is not inclined to entertain this revision. However, considering the fact that the petitioner is a lady, this Court dispenses with the petitioner's appearance before the Trial Court (provided she is represented by a lawyer), unless her appearance is required by the Trial Court for the progress of the trial.

7. With the above observations, this Criminal Revision Case is dismissed.

Consequently, connected Criminal Miscellaneous Petition is closed.

**24-02-2026**

*Mac*

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The 1<sup>st</sup> Additional District and Sessions Judge, Salem

2. The Inspector of Police,  
Omalur Police Station,  
Salem District.



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**SUNDER MOHAN J.**  
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