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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No.2875 of 2025

and

Crl.M.P.No.24760 of 2025

1. V.Veeraraghavan
Residing at No.25,
Kandhanpalayam Village,
Anuppampet Post,
Ponneri Taluk,
Thiruvallur District.

2. V.Govindrajan
Residing at No.25,
Kandhanpalayam Village,
Anuppampet Post,
Ponneri Taluk,
Thiruvallur District.

3. V.Mugundan
Residing at No. 25,
Kandhanpalayam Village,
Anuppampet Post,



Ponneri Taluk,
Thiruvallur District.

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...Petitioners/A1 to A3

Vs

1. The State Rep. by its
The Inspector of Police
E-3, Minjur Police Station,
Thiruvallur District.

...1st Respondent /Complainant

2. Prabavathy
W/o.Baskar,
No.29,
Kandhanpalayam Village,
Anuppampet Post,
Ponneri Taluk,
Thiruvallur District.

...2nd Respondent/Defacto complainant

Prayer : Criminal Revision Petition filed under Section 438 and 442 of BNSS to call for the records in CrI.M.P.No.818 of 2025 in C.C.No.109 of 2025 on the file of Learned Judicial Magistrate-I, Ponneri and to set aside the docket order dated: 17.11.2025.

For Petitioners: Mr.R.Mahalingam

For Respondents: Mr.R.Vinoth Raja
Government Advocate
(Crl.Side)
For R1
Mr.E.Prabhu
for R2



ORDER

This Criminal Revision challenges the order passed by the learned Judicial Magistrate No. I, Ponneri, in Crl.M.P.No.818 of 2025, dated 17.11.2025, altering the charge to Section 307 of the Indian Penal Code, 1860 (hereinafter referred to as the “*IPC*”), and consequently holding that the case is triable by the Sessions Court.

2. Mr.R.Mahalingam, the learned counsel for the petitioners, would submit that the petitioners were not given an opportunity to object to the alteration of the charge; and that the allegations would not suggest that the petitioners had committed the offence of Section 307 IPC, and the respondent Police had filed the Final Report only for the offence under Section 326 of the IPC.

3. Mr.E.Prabu, the learned counsel for the *de-facto* complainant/second respondent, however, would submit that the impugned order was passed pursuant to the directions issued by this Court in Crl.O.P.No.12937 of 2017, dated 17.11.2022, wherein this Court had observed that the victim had sustained grievous injury, which is confirmed by the medical records, and further observed that the *de-facto* complainant is at liberty to approach the trial Court for alteration of charges. The learned counsel for the *de-facto*



complainant/second respondent, therefore, would submit that the impugned order does not suffer from any infirmity.

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4. Mr.R.Vinoth Raja, the learned Government Advocate (Crl.Side), for the first respondent/complainant, would justify the Final Report filed by the first respondent.

5. It is seen that the learned Magistrate had altered the charges after this Court had directed the learned Magistrate to consider the injuries sustained by the victim. Therefore, this Court is of the view that without going to the merits of the rival contention, the impugned order can be sustained with liberty to the petitioners to raise all their submissions at the time of charge framing before the Sessions Court, which may be considered by the learned Sessions Judge in accordance with law and on its own merits.

6. With the above liberty, this Criminal Revision is dismissed. Consequently, the connected miscellaneous petition is closed.

09-02-2026

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



Copy to

1. The Judicial Magistrate-I,
Ponneri

2. The Inspector of Police
E-3, Minjur Police Station,
Thiruvallur District.

3. The Public Prosecutor
High Court of Madras
Chennai – 104.



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SUNDER MOHAN, J.

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