



Crl.O.P(MD)No.4377 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.4377 of 2024

and

Crl.M.P.(MD).Nos.3450 and 3451 of 2024

1.Kanagarathinam Thangammal
2.Manonmani
3.Jeyanthi Jebastin
4.Jebastin ... Petitioners / A2 to A5

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station (AWPS),
Thallakulam,
Madurai District.
(Crime No.30 of 2019) ... Respondent No.1 / Complainant

2.Merlin Selvarani ... Respondent No.2/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned Charge Sheet in C.C.No.511 of 2020 on the file of the learned Additional Mahila Court, Madurai and to quash the same.



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For Petitioners : Mr.M.Vivek Kumar
For R1 : Mr.M.Sakthi Kumar
Government Advocate
(Criminal Side)
For R2 : Mr.K.Samidurai

ORDER

This Criminal Original Petition has been filed seeking quashment of the final report in C.C. No.511 of 2020 on the file of the learned Additional Mahila Court, Madurai.

2. The learned counsel for the petitioners submitted that the petitioners are arrayed as Accused Nos.2 to 5 and they have been falsely implicated in the case. The marriage between the defacto complainant and the son of the first petitioner was solemnized on 27.12.2018 at Pattabiram. It is stated that the marriage was an arranged one, and at the time of marriage, the parents of the defacto complainant had given 35 sovereigns of gold jewellery, cash of Rs.3,00,000/- and household articles. It is further stated that the family of the defacto complainant had spent more than Rs.4,00,000/- towards the marriage expenses.



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3. According to the prosecution, despite the same, the petitioners treated the defacto complainant with cruelty, demanded additional dowry, and subjected her to domestic violence and physical abuse, which ultimately resulted in matrimonial discord. It is alleged that, at the instigation of the petitioners, the defacto complainant was forcibly sent to her parental home on 08.03.2019. Thereafter, based on the complaint given by the defacto complainant, a case was registered in Crime No.30 of 2019 and, upon completion of investigation, a final report was filed, which has been taken on file as C.C. No.511 of 2020 for the offences under Sections 294(b), 498(A), 403 and 34 IPC.

4. The learned counsel for the petitioners further submitted that no specific overt act has been attributed against the petitioners. The first petitioner is a senior citizen aged about 74 years. The other petitioners, being relatives, have been unnecessarily roped in due to matrimonial disputes. It is also pointed out that this Court, in an earlier order in Crl.O.P.(MD).No.11444 of 2021, dated 07.02.2024, had quashed the proceedings as against Accused Nos.6 and 7 on the ground that the



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allegations were vague and omnibus in nature. It is further submitted that even in the present case, the allegations are general and sweeping in nature. The learned counsel also submitted that the Social Welfare Officer had conducted an enquiry and given a report stating that there was no dowry demand. Hence, he sought for quashment of the proceedings.

5. *Per contra*, the learned counsel appearing for the second respondent submitted that specific overt acts have been attributed against each of the petitioners and a *prima facie* case is made out.

6. The learned Government Advocate (Criminal Side) also submitted that this is a case of dowry harassment involving demand for additional dowry and cash, and the allegations clearly attract the offence under Section 498(A) of IPC. Hence, he opposed the quashment of the proceedings.



7. This Court has considered the submissions made on either side and perused the materials available on record.

8. A careful reading of the final report reveals that specific overt acts have been attributed against Petitioners 1 to 3, particularly with regard to the demand for additional dowry of Rs.50,000/- and 10 sovereigns of gold. However, insofar as the 4th petitioner is concerned, the allegations appear to be general and omnibus in nature without any specific role attributed.

9. Though there are allegations that the petitioners had defamed and harassed the defacto complainant, no specific details regarding the time, place or manner of such acts have been stated. The dispute between the parties appears to be predominantly matrimonial in nature. While there are *prima facie* materials as against Petitioners 1 to 3, the continuation of proceedings as against the 4th petitioner would amount to abuse of process of law.



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10. In view of the above, this Criminal Original Petition is partly allowed and the proceedings in C.C. No.511 of 2020 on the file of the learned Additional Mahila Court, Madurai, are quashed insofar as the 4th petitioner is concerned. In respect of the other petitioners, the trial Court is directed to proceed with the trial in accordance with law. The personal appearance of the petitioners is dispensed with, except as and when required by the trial Court. Consequently, connected miscellaneous petitions are closed.

17.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
All Women Police Station (AWPS),
Thallakulam,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
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