



CRL OP(MD). No.16261 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.16261 of 2025

and

CRL MP(MD). No.13280 of 2025

1. Velmurugan,

2. Saroja,

3. Selvaraj,

4. Selvarani

... Petitioners

Vs

1. The State of Tamil Nadu, Rep,
. by the Inspector of Police,,
All Women Police Station,
Manapparai Police Station,
Trichy District.

2. Revathi

... Respondents

PRAYER :-

To call for the records pertaining to the impugned charge sheet in
C.C.No.132 of 2025 on the file of the learned Judicial Magistrate,
Manapparai and quash the same.



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For Petitioner : Mr. B.Jameelarasu,
Advocate.

For Respondent : Mr.B.Thanga Aravindh for R1
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to call for the records pertaining to the impugned charge sheet in C.C.No.132 of 2025 on the file of the learned Judicial Magistrate, Manapparai and quash the same.

2. Learned counsel for the petitioner submitted that the petitioners are the accused numbers 1 to 4 in the pending case in C.C.No.132 of 2025 before the learned Judicial Magistrate, Manapparai. The first petitioner is the husband of the de facto complainant / the second respondent. The second petitioner is the mother-in-law of the second respondent / defacto complainant. The third and fourth petitioners are the brother and sister of the first petitioner. The case of the prosecution is that the second respondent /defecto complainant has had given a criminal complaint against the petitioners before the first respondent police, alleging that the marriage between the first petitioner and the second



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respondent was solemnized on 14/6/2015 as per the Hindu rites and customs. At the time of marriage, the first petitioner was given with 10 sovereigns of gold jewels and sreedhana articles worth about Rs. 3,28,000/- and their matrimonial life commenced in the shared matrimonial home belonging to the first, second and third petitioners and it was a joint family. It is further alleged that all the petitioners 1 to 4 had harassed her and caused mental agony and cruelty and driven her out of the shared matrimonial home and thereafter she had filed a maintenance case before the judicial Magistrate. Pursuant to the same, the petitioners have together proceeded to the de facto complainant's matrimonial home and harassed her and criminally intimidated her with dire consequences and compelled her to withdraw the maintenance case, for which he had given a criminal complaint and Crime No.4 of 2022 was registered for the offenses under Section 498A, 294-B, 506(i) of IPC as against the Petitioners herein and the same culminated in laying charge sheet as against the petitioners.

3. The learned counsel for the petitioner categorically contended that except matrimonial dispute between the petitioner and the de facto



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complainant, the petitioners have never ever subjected her to any cruelty.

Already twice a compromise was entered into between the parties.

However, the compromise could not be acted upon. It is a completely foisted case which has been given by the second respondent only with the sole intention of extracting money.

4. Learned counsel for the petitioner submitted that earlier in a petition filed by the second respondent before the learned Judicial Magistrate, Manapparai, under the Protection of Women from Domestic Violence Acts, the petitioners have arrived at a compromise between the defacto complainant and an amount of Rs.2,00,000/- was obtained by the 2nd respondent from the petitioners at the instance of the learned Judicial Magistrate. As per the agreed terms, the first petitioner had agreed to arrange a separate residence for the safe living of the petitioner which was not acted upon, as a result of which the terms of compromise agreement was frustrated and hence the defacto complainant did not withdraw the complaint as agreed.



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5. Learned Government Advocate submitted that at the instance of this Court, the parties were sent for mediation before the Mediation Center and the compromise was arrived at. However, subsequently the defacto complainant had not cooperated for a compromise. It was only at the instance of the first petitioner, this Court had referred the matter for mediation and before mediation center when the defacto complainant was ready to live with the petitioner, the first petitioner was not willing to live with her and therefore, the mediation process failed and the case has been remitted back before this Court.

6. Learned counsel for the petitioners submitted that the first petitioner pursuant to the mediation, had arranged for separate house.

7. Learned counsel for the second respondent submitted that he had arranged a house which was in a condemned condition and therefore, she refused the house arranged by the first petitioner. She is prepared to live in any safe space which is likely to be arranged by the first petitioner.



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8. Heard both sides and carefully perused the materials available on record.

9. A complete reading of the final report itself would make it clear that the dispute has arisen between the first petitioner and the de facto complainant only because of the matrimonial discord. The complaint has been lodged as against the petitioners herein. The nature of the allegations in the charge sheet itself are not specific and no specific overt act could be made out as against the 2nd, 3rd and 4th petitioners herein. All the allegations are vague, bald and sweeping in nature. However, specific overt act can be made out as against the first accused / first petitioner. Allegations made in the final report and the materials accompanying it, do not disclose any commission of the offence in the instant case as against the 2nd, 3rd and 4th petitioners. The charge sheet would reveal that the sequences put forth is that petitioners / A1, A2, A3 and A4 together had abused the de facto complainant. However, the nature of abuse, the time and day and the manner in which the petitioners abused the de facto complainant is conspicuously absent. In the presence



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of sweeping allegations as against the 2nd, 3rd and 4th petitioners that too in the matrimonial dispute, this Court is of the considered view that no specific allegation is made out as against the petitioners 2, 3 and 4 and this Court finds that all the allegations are bald. Even if the entire prosecution is accepted as it stands, the essential ingredients for the offenses for Section 498-A to 294(b) and 506(1) of IPC are conspicuously absent insofar as the petitioners 2, 3 and 4 are concerned. The dispute between the parties are fully between the first petitioner and the defacto complainant and more particularly it is a matrimonial discord and invocation of criminal law in the present facts as against the petitioners 2, 3 and 4 amount to giving a criminal color to a less serious matrimonial discord between the 2nd, 3rd and 4th petitioners and the defacto complainant, allowing the prosecution to continue would serve no fruitful purpose except subjecting the petitioners 2, 3 and 4 to unnecessary harassment. Criminal law cannot be permitted to be a tool for arm twisting or settling scores between the matrimonial discord between a husband and a wife, by falsely implicating the inlaws and distant relatives. When the foundational facts necessary to constitute an offence are absent, compelling an accused to undergo the rigors of



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criminal trial would amount to abuse of process of law. Accordingly, the impugned final report in C.C.No.132 of 2025 on the file of the learned Judicial Magistrate, Manapparai, is quashed as against petitioners 2 to 4. As far as the first petitioner is concerned, this Criminal Original Petition is dismissed.

10. Accordingly, this Criminal Original Petition is partly allowed. Consequently, connected miscellaneous petition stands closed.

12.02.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

1. The Judicial Magistrate, Manapparai.
2. The Inspector of Police, All Women Police Station, Manapparai Police Station, Trichy 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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