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Crl.O.P.No.14448 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM:

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

Crl.O.P.No.14448 of 2021

and

Crl.M.P.No.7868 of 2021

Shafeeq Ahmed

... Petitioner

Vs.

1. State Represented by,  
The Inspector of Police,  
W-35, All Women Police Station,  
Tambaram,  
Chengalpattu District.

2. Rehana Begum

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in FIR No.5 of 2020 dated 06.05.2020 on the file of Inspector of Police, W-35 All Women Police Station, Tambaram and quash the same.

For Petitioner : M/s.H.Manojin

For Respondents :

For R1 : Mr.A.Damodaran  
Additional Public Prosecutor



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## ORDER

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The petition is to quash the impugned FIR as against the petitioner for the alleged offences punishable under Sections 498(A), 323 and 312 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. It is alleged in the impugned FIR that the petitioner had caused cruelty to the defacto complainant and abused her in filthy language. Hence, the complaint.

3. M/s. H. Manojin, learned Legal Aid Counsel for the petitioner would submit that the allegations are false; that though there is a direction to the first respondent to expedite the investigation, the respondent police have not filed the final report so far. Hence, he prayed for the quashing of the FIR.

4. Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that there is an order of this Court transferring the investigation from the Inspector of Police, All Women Police Station, Tambaram to the Central Crime Branch Wing, Tambaram, Commissionerate of Police. Hence, he prayed for the dismissal of



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the quash petition.

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5. The learned counsel for the petitioner also confirms that the investigation has already been transferred to the Central Crime Branch Wing, Tambaram, Commissionerate of Police.

6. Since the points raised by the petitioner are factual in nature, this Court is of the view that the allegations have to be investigated. Therefore, this Court cannot entertain the quash petition. However, the Central Crime Branch Wing, Tambaram, Commissionerate of Police, shall conduct an enquiry and complete the investigation within a period of three (3) months from the date of receipt of a copy of this order.

7. For the above reasons, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

**21.06.2023**

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

rgm



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**SUNDER MOHAN, J**

rgm

To

- 1.The Inspector of Police,  
W-35, All Women Police Station,  
Tambaram,  
Chengalpattu District.
- 2.The Public Prosecutor  
High Court of Madras  
Chennai – 600 104.

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