



*Crl.O.P(MD)No.9423 of 2021*

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 13.04.2023

CORAM:  
**THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

**Crl.OP(MD)No.9423 of 2021**  
**and**  
**Crl.M.P(MD)No.4812 of 2021**

1.M.Noorul Ameer

2.M.Baslur Rahman .. Petitioners/ Accused No.1 &2

Vs.

1.The State rep. By  
The Inspector of Police,  
All Women Police Station,  
Alangulam,  
Tirunelveli District.  
(Crime No.2 of 2021)

..1st Respondent/Complainant

2.Sulaika Beevi

.. 2<sup>nd</sup> Respondent/Defacto  
Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.2 of 2021 pending on the file of the Inspector of Police, All Women Police Station, Alangulam, Tirunelveli District and quash the



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same as against the petitioners.

For Petitioners : Mr.R.Anand

For R1 : Mr.M.Muthumanikkam  
Government Advocate (Criminal side)

For R2 :No appearance

### **ORDER**

This petition has been filed to quash the proceedings in Crime No.2 of 2021 pending on the file of the Inspector of Police, All Women Police Station, Alangulam, Tirunelveli District, registered for the offence under Sections 498A, 323, 354A and 109 IPC read with Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002.

2. The case of the prosecution is that the first petitioner and the second respondent are husband and wife. Out of wedlock, they have got three children. The second petitioner is the brother of the first petitioner. It is alleged that on the advice of the second petitioner, the first petitioner failed to maintain his wife/the second respondent and their children and without her wish, the first petitioner conducted her daughter's (N.Beema)marriage to a person of his choice as per the instruction of the



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second petitioner. Further, the first petitioner has illicit relationship with several ladies for which electronic evidence is available with the second respondent/wife. On 02.01.2021 at 10.00 a.m, the second petitioner/brother-in-law came to her house and asked the said evidence, since she refused to give, he slapped her another daughter by name N.Pargana and also snatched the Thali chain of the second respondent, weighing about 50 grams. On the previous day also ie., on 01.01.2021 at 3.00 p.m, the accused persons have assaulted her another daughter by name N.Mymoon as a result she sustained injury on her left eye. When it was complaint to the first petitioner, he has not given any concern and blindly supported the second petitioner. Apart from that the second petitioner/brother-in-law tried to misbehave with her. Further, at the time of marriage, the second respondent's parents gave 40 sovereigns of gold jewels as sridhana to the first petitioner, that was also taken by the first petitioner. In such a way the second respondent and her daughters were harassed by the accused persons. Hence the complaint.



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**3.** The learned Government Advocate (Criminal side) submitted that after completion of investigation, the 1<sup>st</sup> respondent police filed final report under Sections 498A, 352, 354A and 109 IPC read with Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 and Section 10 r/w 9(1)(n) of the Protection of Children from Sexual Offences Act, 2012 and the same was taken on file by the Special Court for POCSO Act cases, Tirunelveli, Tenkasi District.

**4.** Upon perusal of the final report, this Court does not find any merits to quash the proceedings against the petitioners for the reason that all the ingredients of the above said offence are made out. Hence, recording the submission made by the learned Government Advocate (Criminal side), this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

**13.04.2023**

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



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To

1. The Inspector of Police,  
All Women Police Station,  
Alangulam,  
Tirunelveli District.

2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.K.RAMAKRISHNAN, J.**

PJL

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