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CrL.OP.No20759 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.20759 of 2024

Durai

... Petitioner

Vs.

1. State Rep by the Inspector of Police
Pernampet Police Station,
Vellore District.

2. Haseena

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to call for the records relating to Cr.No.357 of 2024 is pending on the file of the respondent police and quash the same in so far as the 1st petitioner/accused are concerned.

For Petitioner : Mr.G.Vana Narayanan

For Respondents : Mr.S.Udayakumar
Government Advocate (CrL.Side)
for R1



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ORDER

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The petitioner herein is the first named accused in Cr.No.357 of 2024 dated 25.06.2024 for alleged offence under Section 294b, 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. The complaint given by one Hasina, wife of Thasin reveals that on 24.06.2024 the petitioner and two others had abused her and her third son with obscene words. When she came to know about that she questioned the petitioner and others at 08.30 p.m., on the same day. The petitioner and the other accused Salman has tear the dress of her sister Amrim and physically attacked them. Hence, the case under Section 294b, 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 been registered and under investigation.

2. The petitioner states that he is an innocent person and he went to compromise two groups which has indulged in fight in connection with child marriage.

3. The learned Government Advocate (CrI.Side) submits that a counter complaint been registered in Cr.No.358 of 2024 for identical offences on the complaint given by one Mupina. From the documents



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produced by the petitioner, it appears that the marriage of one Tahira, daughter of Mupina was scheduled with one Mathin was scheduled to be solemnized on 27.06.2024 at Pernampet. However, the same was stopped since Tahira was only 13 years old and that was brought to the notice of the authorities through the facebook of one Salman since the child marriage was stopped at the instance of Salman, the parents of the bride and bridegroom had animosity which has led to altercation between the groups leading to the registration of complaint and counter complaint.

4. Learned Government Advocate (Crl.Side) submits that the investigation is nascent stage and on gathering evidence necessary decision will be taken in accordance with law the police standing order.

5. Recording the same, this Criminal Original Petition is disposed of directing the respondent to complete the investigation within a period of three months and file final report and if the petitioner is any way aggrieved with the final report, he can exercise his right to challenge the final report in accordance with law if he so advised.

28.08.2024

Vv



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To

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1. The Inspector of Police
Pernampet Police Station,
Vellore District.
2. The Public Prosecutor,
High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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