



Crl.O.P.No.25949 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.25949 of 2022

and

Crl.M.P.No.16014 of 2022

Mohammed Ali

... Petitioner

Vs.

1.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.
(Crime No.318 of 2022)

2. S.Aarthy

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records connected with the FIR in Crime No.318 of
2022, dated 01.09.2022, on the file of the 1st respondent and to quash the
same.

For Petitioner	: Mr.T.ShanmugaBoopathi
For R1	: Mr.S.Vinoth Kumar Govt. Advocate (Crl.Side)
For R2	: Mr.M.RadhaKrishnan

ORDER



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The petitioner has filed this petition to quash the FIR in Crime No.318 of 2022 pending investigation on the file of the 1st respondent, for the offences under Sections 354, 351 and 509 of IPC, as against the petitioner.

2. The case of the prosecution is that the petitioner trespassed the defacto complainant's client by name Irfana Naserin's house situated at No.33/16, Gandhi Road, Gill Nagar Extension, Choolaimedu, Chennai-600 094, who is none other than the daughter-in-law of the petitioner and thereby caused nuisance against her client's mother by name Syed Meeran Beevi and he snatched the house's Key from her, further the above said occurrence came to the knowledge of the 2nd respondent / De-facto complainant through her client by name Irfana Naserin and on such information the 2nd respondent reached the house along with her client and after their arrival the petitioner snatched the mobile phone of the defacto complainant for preventing her not to take any video of the petitioner's activity and also caused injury on her hand. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected to the alleged offence



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made by the complainant. Hence, he prays to quash the FIR.

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4. The learned Government Advocate (Crl.Side) appearing for the 1st respondent submitted that based on the complaint lodged by the defacto complainant, the case was registered in Crime No.318 of 2022 by the 1st respondent police for the alleged offences under Section 354, 351 and 509 of IPC. As a counter blast R2 lodged the complaint against petitioners.

5. On a perusal of the records, it reveals that due to matrimonial dispute between the petitioner's son and the 2nd respondent client, already DVC is pending before the learned Additional Mahila Judge, Madurai. In order to harass the petitioner, the 2nd respondent has filed this petition and also considering the age of the petitioner, this Court is inclined to quash the proceeding of the FIR in Crime No.318 of 2022, on the file of the 1st respondent.

T.V.THAMILSELVI, J.

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6. Accordingly, this Criminal Original Petition is allowed.



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Consequently, connected miscellaneous petition is closed.

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02.02.2024

Index: Yes/ No

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras.

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and
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