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Crl. O.P.No. 24199 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.24199 of 2024

and

Crl.MP.No.13629 of 2024

Sagul Sajjath @ Mohammed Shahul Sajjad

.. Petitioner

Vs.

1. State Rep.by

The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupattur District.
(Cr.No.254 of 2024)

2.H.S.Muthumuhamed

.. Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023 to call for records pertaining to the case registered in First Information Report in Cr.No.354 of 2024 on the file of 1st respondent and quash the same as illegal as far as the petitioner is concerned.

For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



Crl. O.P.No. 24199 of 2024

ORDER

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The dispute between the husband and wife who are estrange due to discard. The child is with the mother who is the defacto complainant in Cr.No.354 of 2024.

2. The substance of the complaint is that the petitioner along with others had gone to the house of the defacto complainant and used filthy language and also caused hurt in their pursuit of taking custody of the minor child.

3. This petitioner has filed the petition to quash the complaint stating that this is a matter which has to be decided by the Court and criminal complaint is not sustainable.

4. However, on reading of an FIR, this Court finds that the abuse with filthy language and threat besides hurt been stated in the complaint and hence, it requires investigation. It is not the matter to be quashed on the premise that such a incident not happened. Hence, this Criminal Original Petition to quash stands dismissed with liberty to the petitioner



Crl. O.P.No. 24199 of 2024

to challenge the final report, if aggrieved and advised. Consequently, the connected miscellaneous petition is closed.

01.10.2024

Vv

To

1. The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupattur District.
2. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN,J.



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