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Crl.O.P.No.26178 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.26178 of 2024

and

Crl.M.P.No.14548 of 2024

Saleppai Baragath Ali @ Barakath Ali Saalappai

... Petitioner

Vs.

1. The Inspector of Police,
Koothanallur Police Station,
Tiruvaur District.

2. Ansarudeen

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S to call for the records and quash the First Information Report in Crime No.48 of 2022 dated 24.02.2022 on the file of the first respondent, pending investigation.

For Petitioner : Mr.T.Wellington

For R1 : Mr.S.Sugendran,
Additional Public Prosecutor

For R2 : Mr.M.R.Sheik Abdul Rahim



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ORDER

This Criminal Original Petition has been filed to call for the records and quash the First Information Report in Crime No.48 of 2022 dated 24.02.2022 on the file of the first respondent, pending investigation.

2. Heard the learned counsel appearing for the petitioner, learned Additional Public Prosecutor appearing for the official respondent and the learned counsel for the private respondent and perused the materials available on record.

3. Learned counsel for the petitioner submitted that there is no allegation levelled as against the petitioner and no offence has been made out as against the petitioner in F.I.R in Crime No.48 of 2022.

4. Learned Additional Public Prosecutor appearing for the official respondent submitted that the petitioner/A1 threatened the second respondent/defacto complainant through whatsapp call and also sent profanity messages as against the defacto complaint.



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5. On a reading of F.I.R, it is found that there are prima facie allegations made out as against the petitioner. F.I.R is not an encyclopaedia and it is only an information to set the law into motion. Based on the information, it is the duty of the respondent police to investigate the matter and to file a final report. This Court does not find any merit in the Criminal Original Petition.

6. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

12.11.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

mfa

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