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Crl.O.P.No.7201 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.7201 of 2025

and

Crl.M.P.No.4684 of 2025

Nasini Begam

... Petitioner

Vs

1. The Inspector of Police,
Vellore South Crime Police Station,
Vellore, Tamil Nadu – 632 001,
Crime No.325 of 2016.

2. Ghouse Basha,
The Head Master,
Govt. Muslim Higher Secondary School,
Vellore – 632 001.

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the entire records pertaining to the FIR in Crime No.325 of 2016 on the file of the first respondent Police and quash the same.

For Petitioner : Mr.A.Sivakumar Sivaaji

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)
for R1



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ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.325 of 2016 on the file of the first respondent Police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent and perused the materials available on record.

3. On the complaint lodged by the second respondent, the first respondent registered the First Information Report in Crime No.325 of 2016 for the offences punishable under Sections 12(1)(b), 465, 471, and 420 of IPC, alleging that Transfer Certificate No.157/09-10, Register No.17637, in the name of Nadhini Begum, D/o. Khadhar Sherif, was not issued by the second respondent's School, and it was a fake transfer certificate used to obtain a passport. Hence, the complaint.



4. The petitioner had applied for a passport through an agent.

However, due to an error that occurred in the application process, the petitioner's name was incorrectly recorded as Nadhini Begum instead of Nasini Begam. In order to rectify the same, the petitioner had taken immediate steps to publish the correct name in both English and Tamil daily newspapers. In the meanwhile, the agent, who applied for a passport on behalf of the petitioner, submitted a transfer certificate as part of the passport application without the knowledge and consent of the petitioner. Subsequently, it was found to be a forged document during the verification process conducted by the authorities.

5. Accordingly, the second respondent lodged a complaint. However, the petitioner had no knowledge and no consent to produce any birth certificate on her behalf. That apart, the First Information Report is pending from the year 2016 without any process so far. Therefore, there is absolutely no explanation from the first respondent for keeping the First Information Report pending without any further process. Therefore, no offence is made out as against the petitioner, since she did not produce any document along with her application seeking a passport. That apart, the occurrence had taken



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place in the year 2013, whereas the complaint was lodged in the year 2016.

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6. In view of the above, in order to meet the ends of justice, the impugned First Information Report cannot be sustained and it is liable to be quashed. Accordingly, the First Information Report in Crime No.325 of 2016 on the file of the first respondent, is hereby quashed.

7. In the result, this Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

13.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv

To

1. The Inspector of Police,
Vellore South Crime Police Station,
Vellore, Tamil Nadu – 632 001.

2. The Public Prosecutor,
Madras High Court,
Chennai.

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G.K.ILANTHIRAIYAN. J.

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