



Crl.OP.No.9553 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

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

Crl.O.P.No.9553 of 2025

and

Crl.MP.No.6329 of 2025

Syed Ahmed Kafeel

... Petitioner

Vs.

1. The State Represented by the
Sub Inspector of Police,
Vaniyambadi Town Police Station,
(Vellore District)
Thirupattur District.

2. Jamani Kafeel

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS 2023/Section 482 of the Code of Criminal Procedure, to call for the records pending on the file of the first respondent police namely the Inspector of Police, Vaniyambadi Town Polic Station (Vellore District), Thirupattur District in Cr.No.68 of 2015 and quash the criminal proceedings.

For Petitioner : Mr.E.Kannadasan

For Respondents : Mr.R.Vinoth Raja
Government Advocate (Crl.Side)



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for R1
ORDER

This Criminal Original Petition has been filed to quash the FIR registered in Crime No.68 of 2015 on the file of the first respondent police station.

2. The case of the prosecution as per the defacto complainant is that she was divorcee. 1½ years prior to this complaint, she got married with the petitioner through Jamath. She was living at Bangalore along with her son who was born through her first husband. The petitioner has avoided to visit her at Bangalore, whenever she tried to contact the petitioner through cell phone all along informed her that he would meet her shortly, even thereafter, he did not turn up. Hence, on 22.02.2015 at about 11.25 p.m, she has come down to petitioner's residence along with her relative. On seeing her, the petitioner has scolded her with filthy language and attempted to strangulate her and also caused injury on her right shoulder with knife and the same was pacified by her relative by name Mohammed Imran, who came along with her from Bangalore. Thereafter, she went to Government Hospital, Vaniyambadi for taking



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treatment. She was in the hospital, the respondent police has received an intimation from the hospital. On receipt of intimation, they went to the Government Hospital, Vaniyambadi and recorded her statement. Based on her statement , the first respondent has registered an FIR in Cr.No.68 of 2015 as against the petitioner for the offences under Sections 294(b), 323, 324 and 506(i) of IPC.

3. On perusal of records it reveals that the petitioner and the second respondent got married and living separately. That apart, FIR is pending from the year 2015 without any progress. Though there are averments to attract the offence under Section 323 of IPC, there is no records to show that the second respondent had been admitted in the hospital and taken treatment.

4. Today, when the matter is taken up for hearing, the first respondent appeared before this Court. However, he has failed to produce the case dairy and was unable to inform the Court about the present status of the FIR. It is indeed a sorry state of affairs reflecting the manner in which the Tamilnadu Police Machinery is functioning . In view of the



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above, this Court is of the opinion that the first respondent is not entitled to claim any Travel allowance (T.A) and Dearness allowance (D.A) for his appearance before this Court.

5. Mere keeping pendency of the FIR for the past 10 years would not serve any purpose, therefore, this Court is inclined to quash the FIR to meet the ends of justice. Accordingly, the FIR registered in Crime No.68 of 2015 on the file of the first respondent police is hereby quashed.

6. In the result, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

24.04.2025

Vv

To

1. The Sub Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District

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2. The Public Prosecutor,
Madras High Court,
Chennai.
3. The Director General of Police,
Mylapore, Chennai.

G.K.ILANTHIRAIYAN, J.

Vv



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