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CrI.O.P.No.13865 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.13865 of 2025

and

CrI.M.P.No.9272 of 2025

S.Thabasum

... Petitioner

Vs.

1. State Rep. by its
The Inspector of Police
Sipcot Police Station
Krishnagiri District

2. Dasthagir Deshnur

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records relating in Crime No.90 of 2025 on the file of the 1st respondent police and quash the same.



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For Petitioner : Mr.G.Mohammed Aseef
For 1st Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to quash the FIR in Crime No.90 of 2025 on the file of the 1st respondent police and quash the same.

2. The case of the prosecution as per the defacto complainant/second respondent is that the defacto complainant's son one Sameer is running a Scrap Factory in AVS Colony for the past 15 years. The said Sameer and his wife/the petitioner herein are living separately due to difference of opinion. While so, on 01.03.2025 at about 10.30 a.m., when the defacto complainant was in the Factory, the petitioner along with other accused attacked the defacto complainant with hands and stones asking the defacto complainant to get out of the Factory stating that it belongs to the petitioner. Hence, the FIR in Crime



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No.90 of 2025 was registered against the petitioner and others for the offences under Sections 296(b), 115(2), 118(1) and 351(3) BNS, 2023.

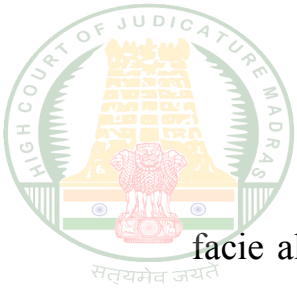
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3. The learned counsel for the petitioner submitted that the defacto complainant is the father-in-law of the petitioner. Due to family dispute a false case has been foisted against the petitioner. The fact is that the petitioner is running the said company in her name and she has got GST and MSME registration etc. and it is purely a civil dispute. Hence, prays to quash the FIR against the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) appearing for the first respondent police and also perused the materials available on record.

5. Since no adverse order is being passed against the second respondent, notice to the second respondent is dispensed with.

6. The merits of the case can be decided only after investigation and not at this stage. At this stage, the Court has to see as to whether there is any prima



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facie allegation as against the petitioner to register the FIR. A perusal of the

complaint given by the defacto complainant and the FIR, shows prima facie allegations as against the petitioner. Therefore, this Court is not inclined to quash the FIR.

7. Accordingly, this Criminal Original Petition is dismissed at the admission stage itself. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Inspector of Police
Sipcot Police Station
Krishnagiri District

2. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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