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Crl.O.P.No.19056 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

Crl.O.P.No.19056 of 2025

and

Crl.M.P.Nos.13014 and 13016 of 2025

Shruthi Thilak

... Petitioner

Vs.

1. State of Tamil Nadu

Represented by the Sub-Inspector of Police

B4-High Court Police Station

Chennai -600 104

(Crime No.10 of 2024)

2. Dr. Prabhu Thilak

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records in C.C.No.1394 of 2024 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai and quash the criminal proceedings.

For Petitioner : Mr.N.S.Sivakumar

For First Respondent : Dr.C.E.Pratap  
Government Advocate (Crl. Side)

For Second Respondent : Mr.C.Jayavel



CrI.O.P.No.19056 of 2025

## **ORDER**

**WEB COPY** The Criminal Original Petition has been filed by the petitioner to quash the criminal proceedings in C.C.No.1394 of 2024 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

2. The learned counsel for the petitioner submitted that the second respondent is the husband of the petitioner and they both are living separately. Originally, the second respondent had lodged a complaint against the petitioner as if on 05.04.2024, the petitioner abused him in filthy language and threatened him with dire consequences inside and outside the Family Court and if the CCTV footages are examined, the truth will come to light. The said complaint was registered in CSR No.60 of 2024. Subsequently, the same was closed as mistake of fact stating that no such incident is found in the CCTV footage and the closure report was also forwarded to the jurisdictional Magistrate on 03.06.2024. Thereafter, the defacto complainant/second respondent approached the Magistrate by way of filing a petition under Section 156(3) Cr.P.C. and pending petition, once again the said complaint was taken on file by the respondent police and FIR was also registered in Crime No.10 of 2024 on 08.06.2024 only on the instructions of a Superior Officer, which is



CrI.O.P.No.19056 of 2025

against the procedures established by law. Subsequently, the respondent police filed the final report and the same has been taken on file in C.C.No.1394 of 2024 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai.

3. The contention of the petitioner is that since the defacto complainant is the son of a retired superior officer of the police department, under influence, the defacto complainant got the case registered. However, no CCTV footage has been produced before the Court and no enquiry was made either with the Presiding Officer or with the Court staffs in which the alleged occurrence is said to have taken place. Only in order to harass the petitioner, the defacto complainant has filed the present case. This is not only case filed against the petitioner, but several cases have been filed by the second respondent and the petitioner is facing the same. Therefore, registering cases against the petitioner is nothing but abuse of process of law. Therefore, the case against the petitioner in C.C.No.1394 of 2024 has to be quashed.

4. The learned counsel for the second respondent/defacto complainant submitted that the CCTV footage is very much available with the first respondent police. Prior to closing the complaint they did



Crl.O.P.No.19056 of 2025

not properly enquired and subsequently, they collected the CCTV footages and on perusal of the same, the first respondent police registered the case.

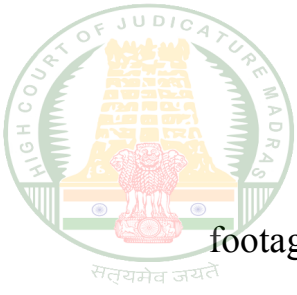
5. The learned Government Advocate (Crl. Side) submitted that the Investigating Officer has recovered the CCTV footages and they are ready to produce the same after obtaining certificate under Section 65 of Evidence Act. Further, the witnesses have also spoken about the said incident.

6. Heard both sides and perused the materials available on record.

7. A perusal of the records and statement of witnesses reveals prima facie allegations and materials to proceed the case further. The prime evidence is the CCTV footage. The veracity and genuineness of the said CCTV footage can be decided only during trial and not at this stage. Therefore, there is no ground to quash the case in C.C.No.1394 of 2024. The grounds taken by the petitioner are nothing but defence which can be agitated only during trial.

8. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

9. The respondent police is directed to produce the said CCTV

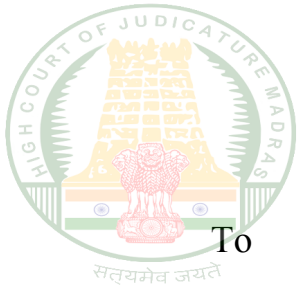


CrI.O.P.No.19056 of 2025

footage before the trial Court with proper certificate. On production of the same, the petitioner is entitled to get a copy from the trial Court.

**09.07.2025**

Index : Yes/No  
Neutral Citation Case : Yes/No  
Speaking Order : Yes/No  
ksa-2



CrI.O.P.No.19056 of 2025

To

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1. The VII Metropolitan Magistrate,  
George Town, Chennai
2. The Sub-Inspector of Police  
B4-High Court Police Station  
Chennai -600 104
3. The Public Prosecutor  
High Court of Madras, Chennai



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CrI.O.P.No.19056 of 2025

**P.VELMURUGAN, J**

ksa-2

CrI.O.P.No.19056 of 2025

09.07.2025