

Crl.O.P.No.23707 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 28.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.23707 of 2025 &
Crl.M.P.Nos.16191 and 16192 of 2025

1. Nizam @ Nizamudeen
2. N.Afreen
3. A.Kathija
4. M.Reyal
5. S.Mariyam Bee
6. B.Jerinabee
7. M.Mohammed Farook
8. M.Sheik Dawood

...Petitioners

Vs.

N.Kuresa Banu

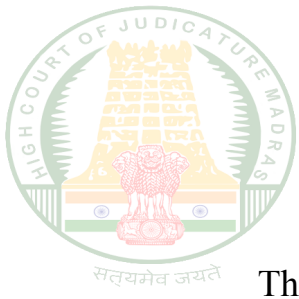
...Respondent

Prayer:

Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records in Crl.M.P.No.1551 of 2025 on the file of the learned Judicial Magistrate, Sriperumbudur and quash the same as an abuse of process of law.

For Petitioners

: Mr.R.Harikrishnan



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ORDER

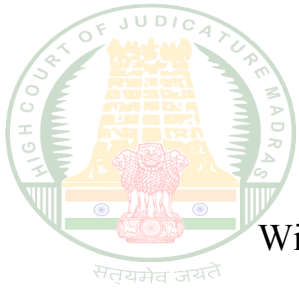
The private complaint filed by the respondent under Section 210 of BNSS Act as against the petitioners is under challenge.

2. According to the petitioners, based on the private complaint, notice has been issued and on the very same set of allegations already DVAC proceedings are pending therefore, seeks to quash the private complaint.

3. Heard the learned counsel appearing for the petitioners and perused the documents placed on record.

4. At the outset, this Court is of the view that now under Section 223 of the BNSS, Act, before taking cognizance based on the private complaint, the accused should be heard, which is mandate of Section 223 of BNSS Act.

5. In such view of the matter, upon notice, the petitioners shall appear before the court concerned and make objections, thereafter, the learned Judicial Magistrate, Sriperumbudur is directed to take into consideration all the other facts and pendency of the matters and thereafter, pass appropriate orders on merits and in accordance with law.



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With the above observation, this present petition is disposed of.

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Consequently, connected miscellaneous petitions are closed.

28.08.2025

Index : Yes / No
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

1. The Judicial Magistrate, Sriperumbudur
2. The Public Prosecutor,
High court, Madras



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N.SATHISH KUMAR, J.
ssd

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