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Crl.OP.No.29764 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM:

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

Crl.O.P.No.29764 of 2024

and

CRL.MP.Nos.16701 and 16702 of 2024

A.Usman

... Petitioner

Vs.

1.The State

Rep. by its Inspector of Police
D-4, Zam Bazhaar Police Station
Chennai
(Crime No.42 of 2022)

2.M.Kalimulla

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the C.C.No.842 of 2024 on the file of the Chief Metropolitan Magistrate, Egmore, quash the same by allowing this Criminal Original Petition.



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For Petitioner : Mr.A.M.Esakkiappan

For Respondents : Mr.R.Vinothraja
Govt. Advocate (Crl. Side) - R1

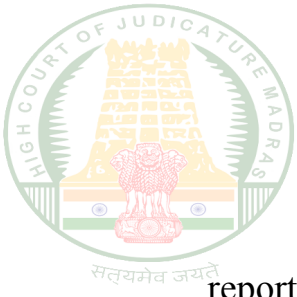
No Appearance for R2
(Notice Served)

ORDER

This Criminal Original Petition is filed to quash the proceedings in C.CNo.842 of 2024 pending on the file of the Chief Metropolitan Magistrate, Egmore, Chennai.

2. The prosecution alleges that on 26.03.2023, at approximately 00:04 a.m., the second respondent, while asleep in his house, was disturbed by a noise. Upon investigating, he discovered that the accused had damaged his door. When questioned, the accused allegedly threatened him with dire consequences. Consequently, the second respondent lodged a complaint.

3. Following the complaint, the first respondent registered an FIR in Crime No. 42 of 2022. Upon completion of the investigation, a final



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report was filed, leading to the cognizance of the case in C.C. No. 842 of 2024 before the Chief Metropolitan Magistrate, Egmore, Chennai.

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

5. A perusal of records, it appears that the allegations are primarily civil in nature and may have been fabricated due to an existing civil dispute between the petitioner and the second respondent. Notably, a previous complaint lodged by the second respondent's wife, which led to C.C. No. 6499 of 2008 before the Chief Metropolitan Magistrate, Chennai, was quashed by this Court in Crl.O.P. No. 32142 of 2019 on 23.11.2023. In the interest of justice, this Court is inclined to quash the proceedings in C.C. No. 842 of 2024.

6. Accordingly, the proceedings in C.C.No.842 of 2024 on the file of Chief Metropolitan Magistrate, Egmore against the petitioner are hereby quashed.



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7. In the result, the Criminal Original Petition stands allowed.

Consequently, the connected miscellaneous petitions are closed.

29.04.2025

Vv

To

- 1.The Chief Metropolitan Magistrate
Egmore
- 2.The Inspector of Police
D-4, Zam Bazhaar Police Station
Chennai
3. The Public Prosecutor
High Court of Madras
Chennai.



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G.K.ILANTHIRAIYAN, J.

Vv

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