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CRL OP No. 28948 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 28948 of 2025

1. Haseena Zama
W/o.Late Md.Samdani, No.2/231,
Police Line Street, Kanakamma
Chatram, Tiruttani Taluk, Tiruvallur
District

Petitioner(s)

Vs

1. State rep by
The Sub Inspector of Police, D3m
Kanakamma Chatram Police Station,
Tiruttani Taluk, Tiruvallur District

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records pertaining in CC.No.111 of 2025 on the file of the Judicial Magistrate Court, Tiruttani and pass an order to quash the proceeding in CC.No.111 of 2025 on the file fo the Judicial Magistrate Court, Tiruttani , Thiruvallur Distsrict

For Petitioner(s): V.Karunakar



For Respondent(s): Mr.R.Vinothraja,
Government Advocate [Crl.Side]

ORDER

Challenging the Final Report filed in C.C.No.111 of 2025 for the offences under sections 294(b), 323 and 506(i) of IPC on the file of the Judicial Magistrate Court, Tiruttani, this Criminal Original Petition is filed.

2. The brief facts of the case are as follows :

The petitioner is arrayed as A2 and she is wife of A1. Based on the complaint given by one Azima, a case in Crime No.102 of 2015 came to be registered against the petitioner and her husband on 05.08.2015 for the offences under sections 294(b), 323 and 506(i) of IPC. The de facto complainant is the mother-in-law of the petitioner. As per the complaint of Azima, she was living with her husband and two daughters. Her son is the first accused and her son is married and living with his wife in the first floor. When the daughters of the de facto complainant were taking tuition on 04.08.2025 at 5.30 p.m, since there



was no electricity, students, who were studying tuition under the daughters of the de facto complainant were sitting outside the house. At that time, the petitioner along with her husband, abused the de facto complainant and her daughters and also assaulted the de facto complainant and criminally intimidated her.

3. The first respondent, after completion of investigation, has filed the final report before the learned Judicial Magistrate, Tiruttani on 04.08.2025 and the learned Magistrate had taken cognizance of the complaint on 26.05.2025 in C.C.115 of 2025, which is sought to be quashed in the present petition.

4. The learned counsel appearing for the petitioner would submit that the petitioner is the wife of A1 and daughter-in-law of the de facto complainant. The petitioner had already given a complaint against the de facto complainant. He would further submit that, during the pendency of the case, the defacto complainant, mother-in-law passed away on 11.11.2016 and the petitioner's husband, A1, also passed away on 07.05.2024. Even as per the charge sheet,



there is no specific allegation against the petitioner other than the allegation that she was with her husband, A1, at the time of occurrence. The first accused is now no more. He would submit that the case is of the year 2015 and since, the mother-in-law, the de facto complainant is also no more, there is no possibility of the case being taken for trial in the near future and there is also no possibility of the accused being convicted.

5. The learned Government Advocate [Criminal Side] also confirmed the fact that the defacto complainant is no more and the husband of the petitioner had also passed away.

6. On a perusal of materials available on record, it is seen that though the case has been taken cognizance for the offence under section 294(b) and 506(i) of IPC, the ingredients of section 294(b) and 506(i) IPC are not made out against the petitioner. Further, taking note of the fact that the de facto complainant and the first accused are no more and the fact that the case is an offshoot of a domestic violence case between the family members, this Court is



of the view that no useful purpose will be served in keeping the case in C.C.No.111 of 2025 pending as it will only cause unnecessary hardship to the petitioner.

7. In view of the above, this Criminal Original Petition stands allowed and the case in C.C.No.111 of 2025 on the file of the Judicial Magistrate Court, Tiruttani stands quashed.

25-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Sub Inspector of Police, D3m
Kanakamma Chatram Police Station,
Tiruttani Taluk, Tiruvallur District.

2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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