

Crl.O.P.(MD)No.12245 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12245 of 2025
and Crl.M.P.(MD)No.9495 of 2025

1. Shakul Hameed Bhadhusa @
Shahul Hameed
 2. Yusuf @ Mohamed Yousuff
- ... Petitioners

versus

1. State of Tamil Nadu, rep. by
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
 2. Jannathul Firthows
- ...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the case registered in First Information Report in Crime No.171 of 2025 on the file of the 1st respondent and quash the same as illegal asfaras the petitioners are concerned.

For Petitioners : Mr.G.Anto Prince
For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. side)



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ORDER

The petitioners are accused Nos.1 and 3 in Crime No.171 of 2025 on the file of the respondent Police for the offence under Sections 296(b) and 351(2) of BNS 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. They have moved this petition seeking to quash the proceedings in Crime No.171 of 2025 registered against them.

2. The learned counsel appearing for the petitioners submits that the defacto complainant has borrowed a sum of Rs.10 lakhs long years ago and evaded to repay the said amount. Since the petitioners asked the defacto complainant to repay the said amount, he foisted this false complaint as against them. The 1st petitioner is a person, who lent the money to the defacto complainant and the 2nd petitioner is his brother-in-law. This case, according to the learned counsel, is a foisted one.

3. The learned Government Advocate (Crl. Side) submits that the petitioners said to have split saliva on the defacto complainant's son, based on that, this case has been registered and they are conducting the investigation. According to the learned Government Advocate (Crl. Side),



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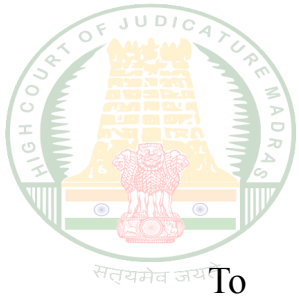
the petitioners have abused the defacto complainant.

4. The grounds raised by the petitioners is a matter for investigation. Merely because the first petitioner has lent money and the defacto complainant has not returned the same, it does not mean that the complaint which has been lodged by the second respondent/defacto complainant has to be quashed at the stage of investigation. Motive is a double-edged weapon. At this stage, this Court is not inclined to entertain this petition to quash the proceedings in FIR in Crime No.171 of 2025.

5. Therefore, this Criminal Original Petition is dismissed with liberty to the respondent Police to conduct the investigation in a fair manner and conclude the same, within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

21.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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1. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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