



Crl.O.P.(MD)No.19495 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19495 of 2025

and

Crl.M.P.(MD).Nos.16324 and 16326 of 2025

Kalanthar Ashik Ahamed

... Petitioner / Sole Accused

Vs.

1.The State of Tamilnadu

Represented by the Inspector of Police,
Thondi Police Station,
Thondi, Thiruvadanai Taluk,
Ramanathapuram District.
Crime No.37 of 2025.

... 1st Respondent/Complainant

2.U.Syed Malunku

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records in C.C.No.444 of 2025 on the file of the learned Judicial Magistrate Court, Thiruvadanai and quash the same as devoid of merits.

For Petitioner : Mr.Dhilipan Pandian.R.L

For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

WEB COPY The petitioner seeks to quash the impugned final report in C.C.No.444 of 2025 on the file of the learned Judicial Magistrate Court, Thiruvadanai, which has been filed for the offences under Sections 92(a), 7(4)(d) of Rights of Persons with Disability Act, 2016 and Section 351(2) of BNS, 2023

2. The learned counsel for the petitioner would submit that the petitioner, defacto complainant and the victim are known to each other; that the petitioner is said to have abused the defacto complainant through a voice mail, since he had allegedly congratulated the victim, who is friend of the defacto complainant, when he was selected as Vice President in an election; and thus, committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that since the petitioner is known to the victim, there was no intention to humiliate a disabled person; that the voice mail was sent through WhatsApp only; that the alleged threat or insult was not made in any public place and hence, the offence under Section 92(a) of Rights of Persons with Disability Act, 2016 would not be made out; and that there was no real threat as the petitioner and the defacto complainant are known to each other.



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4. It is seen that earlier, the petitioner has filed a quash petition before this Court in Crl.O.P(MD) No.4304 of 2025 challenging the FIR and the same was dismissed vide order, dated 30.04.2025 and challenging the same, he has filed Special Leave to Appeal (Crl.) No.11189 of 2025 before the Hon'ble Supreme Court and the same was also dismissed on 01.08.2025. However, the petitioner had suppressed all those proceedings in the instant quash petition. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

10.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

Indu

To

- 1.The Inspector of Police,
Thondi Police Station,
Thondi, Thiruvadanai Taluk,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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