



WEB COPY



W.P.No.11123 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM:

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

W.P.No.11123 of 2022

P.Geethanjali

...Petitioner

-Vs-

1. The Principal Secretary to Government,  
Home, Prohibition and Excise,  
The Government of Tamil Nadu,  
Secretariat, Fort St. George,  
Chennai.

2. The Director General of police,  
Mylapore, Chennai.

3. The Commissioner of Police,  
Coimbatore City.

4. Masutha Begum,  
Inspector of Police,  
Perudurai Police Station,  
Erode District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamum, directing the second respondent herein to consider the representation dated 25.06.2020 submitted by the petitioner, consequently direct the second respondent to take department action against the fourth respondent.



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For Petitioner : Mr.K.Balasubramaniam

For Respondents : Mr.S.Arumugam  
Government Advocate

### **ORDER**

The writ petition has been filed for direction to direct the second respondent herein to consider the representation dated 25.06.2020 submitted by the petitioner, consequently direct the second respondent to take department action against the fourth respondent.

2. On perusal of the petition's representation revealed that as against the petitioner and others, a FIR was registered in Crime No.16 of 2018 on the file of the Inspector of Police, Podanur Police Station, for the offences under Section 120B, 406, 420, 494, 506(i) & 109 of IPC. During the enquiry, the fourth respondent police have seized the petitioner's personal belongings like school & college certificates, documents and valuable movable things from. The fourth respondent failed to show the same in the mahazar and also failed to produce the same before the trial Court. After completion of investigation, they filed final report and the same has been taken cognizance by the trial Court.



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However, the said proceedings was quashed by this Court. Therefore, the fourth respondent lodged false case as against the petitioner and she was arrested and remanded to judicial custody.

3. Heard the learned counsel appearing on either side and perused the materials produced before this Court.

4. It is seen that, the petitioner filed application in C.M.P.No.1065 of 2018 on the file of the Judicial Magistrate, Additional Mahila Court, Coimbatore, for return of articles. In that petition, the fourth respondent filed counter stating that she had seized only few items. Therefore, the petitioner submitted representation to take appropriate action as against the fourth respondent.

5. Mere quashment of the entire proceedings does not amount to false prosecution. In fact, in pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody in Crime No.16 of 2018. Further whatever the movables, which were seized in pursuant to the registration of FIR, were duly deposited before the trial Court and



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the same were returned to the petitioner. Therefore, the representation submitted by the petitioner cannot be considered and the writ petition itself devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. There shall be no orders as to costs.

02.01.2024

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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To  
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**G.K.ILANTHIRAIYAN. J.**

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