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Crl.O.P.No. 19429 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

Crl.O.P.No. 19429 of 2024

And

Crl.M.P.No. 11386 of 2024

1. Silmiya @ Thayibu Silmiya
2. Ayisha @ Aysha Siddhiqa ... Petitioners/Accused (A7 & A34)

Vs.

1. The State rep. By
The Inspector of Police
C2, Race Course Police Station
(Law and Order), Coimbatore City
Crime No. 197 of 2019 ... 1st Respondent/Complainant
3. K.Ranjinikanth ... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C.,
pleased to call for records relating to the proceedings in S.T.C.No. 4013 of
2019 pending on the file of the learned Judicial Magistrate No.III of
Coimbatore and quash the same.

For Petitioners : Mr. P.Kalimuthu



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For 1st Respondent : Mr. S.Udayakumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to quash the final report taken on file by the learned Judicial Magistrate No.III, Coimbatore, in S.T.C.No. 4013 of 2019 for alleged offence under Sections 143 and 341 of IPC.

2. The learned counsel for the petitioners state that on 17.03.2019, protesting the Government for protecting the perpetrators of the sexual offence committed in Pollachi, 35 persons had been assembled without prior permission from moving towards particular direction. However, the statement of the witness is not disclosed in any such commission of offence and it was a peaceful assembly of persons without any harms and there was no restraint of public from moving. He relies upon the Judgment passed by this Court in Crl.O.P.No. 3849 of 2023 in respect of four co-accused submits that the same benefit to be extended to the petitioners also.

3. This Court on careful examination of the order passed by this Court on 22.02.2023 in Crl.O.P.No. 3849 of 2023, there must be uniformity



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in judicial pronouncement and therefore, this Petition stands allowed and the proceedings in S.T.C.No. 4013 of 2019 pending on the file of the learned Judicial Magistrate No.III, Coimbatore, stands quashed. Consequently, connected Miscellaneous Petition stands closed.

13.08.2024

vsg

To

1. The Inspector of Police
C2, Race Course Police Station
(Law and Order), Coimbatore City
2. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

vsg



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