



Crl.O.P(MD).No.13845 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).No.13845 of 2021 and
Crl.M.P(MD).No.7194 of 2021

N.Syed Rafeek

... Petitioner

Vs.

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
Crime No.337 of 2021

2.Maheen Abubacker

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in Crime No.337 of 2021 on the file of the Inspector of Police, Kanyakumari Police Station, Kanyakumari District.

For Petitioner : Mr. Arun Swaminathan

For 1st respondent : Mr. K.Sanjai Gandhi

Government Advocate (Crl. side)

For 2nd respondent : Mr.A. Mohammed Hashim



Crl.O.P(MD).No.13845 of 2021

allowing this petition.

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4. The learned Government Advocate (Crl. Side) appearing for the first respondent Police would submit already that there was a dispute with the two groups of Muslim followers with regard to using of burial ground which is back side of Mirasa Andavar Mosque. He would further submit that both the “A” and “B” parties are continuously disturbing the public peace and tranquility. He further contended that major part of the investigation is completed and the final report is yet to be filed.

5. The learned counsel appearing for the 2nd respondent submitted that the petitioner herein brake open the Jamath gate and caused damage to the lock and also attacked the defacto complainant and caused serious injuries and hence, prayed for dismissal of this petition.

6. Considering the fact that the allegations made against the petitioner is serious in nature and that the major part of the investigation is over, this Court is not inclined to allow this petition at this stage.



Crl.O.P(MD).No.13845 of 2021

7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petition is closed.

08.04.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
trp

To

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
Crime No.337 of 2021

2. The Inspector of Police, Kanyakumari Police Station, Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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A.A.NAKKIRAN, J.

Trp

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Crl.M.P(MD).No.7194 of 2021**

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