



Crl.O.P.(MD) No.18940 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.18940 of 2024

and

Crl.M.P.(MD) No.11720 of 2024

Mahalakshmi

... Petitioner

-VS-

1.The State of Tamil Nadu,
The Inspector of Police,
South Gate Police Station,
Madurai City.
(Crime No.124 of 2022)

2.K.Murugesan

... Respondents

Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to call for the records relating to the impugned F.I.R. in Crime No. 124 of 2022, on the file of the first respondent Police, and quash the same as far as the petitioner is concerned.



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For Petitioner : Mr.A.Jayaramachandran
For R1 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

The petitioner/A5 filed the Criminal Original Petition seeking to quash the F.I.R. in Crime No.124 of 2022, for the offences under Sections 143, 341 and 291 I.P.C. and Section 71A(1) of the Tamil Nadu City Police Act, 1888, on the file of the first respondent Police.

2. The case of the prosecution is that on 31.03.2022 at about 04.00 p.m., the respondent Police was on patrol duty, at that time, one Fathima Kani, State Secretary of Woman India Movement and other Organizations like, NWF along with other political parties, had formed an unlawful assembly in the busy public area and raised slogans in a stage against the judgment of the Karnataka High Court, banning of wearing Hijab at the Educational Institution and caused disturbance to the Public at large. Hence, the complaint has been lodged against the petitioner and others.



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3. The contention of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and no *prima facie* case has been made out as against the petitioner to invoke Sections 143, 341 and 291 I.P.C. and Section 71A(1) of the Tamil Nadu City Police Act, 1888. He further submitted that the petitioner and others had only expressed their dissent against the ban to wear Hijab in the Educational Institution in a democratic manner, which did not cause any sort of nuisance or disturbance to the public at large.

4. The learned Additional Public Prosecutor appearing for the first respondent submitted that after investigation, the respondent Police closed the case as "further action dropped" and on 02.02.2024, the respondent Police also filed a final report before the Judicial Magistrate Court No.V, Madurai, to that effect. A copy of the closure report also produced before this Court.

5. Recording the same, this Criminal Original Petition is closed.

Consequently, connected Miscellaneous Petition is also closed.

NCC : Yes / No
Index : Yes / No
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- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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