



W.A(MD)No.1567 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1567 of 2025
and
C.M.P(MD)No.8890 of 2025**

1.Mohamed Farook

2.Jeenath Begam

3.Mohamed Athif

... Appellants /
Respondents 9,10 & 12

Vs.

1.J.Franklin Rousvelt

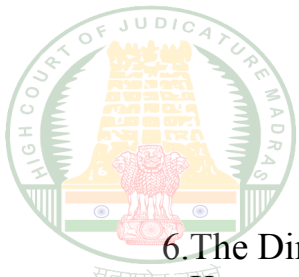
2.Vijini Franklin

3.Ronald Viji

4.Jose Wilbert

... Respondents 1 to 4 /
Petitioners

5.The State represented by
The Secretary to Government,
Home Department,
Fort St.George,
Chennai – 600 009.



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6.The Director General of Police,
Kamarajar Salai,
Chennai – 600 004.

7.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

8.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.

9.The Sub Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.

10.The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.

11.Ganesan

12.Venugopal

... Respondents 5 to 12 /
Respondents 1 to 8

13.The Deputy Superintendent of Police,
Puliyangudi Sub Division,
Tenkasi District.

... 13th Respondent /
13th Respondent

14.Mohamed Kasim Arif

... 14th Respondent /
11th Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to call for the records and set aside the order in W.P(MD)No.21969 of 2021 dated 15.05.2025 and allow the Writ Appeal with cost.



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For Appellants : Mr.H.Lakshmi Shankar

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.5

Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.6 to R.10, R.13

JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

This Writ Appeal is directed against the order dated 15.05.2025 made in W.P(MD)No.21969 of 2021. It is seen that the learned single Judge has exercised criminal jurisdiction and quashed Crime No.367 of 2020 on the file of Inspector of Police, Boothapandi Police Station. It is well settled that when the learned single Judge had exercised criminal jurisdiction, intra-court appeal will not lie. Acknowledging this legal position, the learned counsel seeks to withdraw this Writ Appeal so as to work out his rights in the manner known to law.

2.This Writ Appeal is dismissed as withdrawn with the aforesaid liberty. We make it clear that withdrawl of this Writ Appeal will not come in the way of the appellants from maintaining their challenge to the common order dated



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15.05.2025. There shall be no order as to costs. Consequently, connected

miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
13.06.2025

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

To

- 1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Kamarajar Salai,
Chennai – 600 004.
- 3.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 4.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
- 5.The Sub Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.



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6.The Inspector of Police,
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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

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