

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.23181 of 2019

R.Maheskumar

... Petitioner

-vs-

1.State By:

The Inspector of Police,
Namakkal Town Police Station,
Namakkal,
(Crime No.46 of 2019).

2.S.Ramados

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.46 of 2019 on the file of the 1st respondent Namakkal Town Police Station and quash as far as the petitioner/accused is concerned the same in the interest of justice.

For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor(for R1)

ORDER

This petition has been filed seeking to quash the FIR registered by the respondent police as against 72 persons for an offence under Sections 143, 341 and 505(1)(b) of IPC and Section 7(1)(a) of Criminal Law Amendment Act, 2005.

2.The FIR came to be registered on the ground that the accused persons had involved in conducting a protest near the bus stand, without permission, by demanding for certain reliefs on behalf of JACTO-GEO.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

4.Taking into consideration of the facts and circumstances of the case and also the fact that the petitioner and the other accused persons were only demanding for their lawful rights, this Court is of the considered view that the registration of an FIR is an abuse of process of law. The offence that is extracted in the FIR is not made out against the petitioner.

5.In the result, the FIR in Crime No.46 of 2019, on the file of the 1st respondent police, is quashed in so far as the petitioner is concerned and accordingly this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

vs

To

1.The Inspector of Police,
Namakkal Town Police Station,
Namakkal

2.The Public Prosecutor,
Madras High Court,
Chennai.

+lcc to Mr.M.Saravana Kumar, Advocate SR.No.73767

CRL.O.P.No.23181 of 2019

RSK (CO)
GMY (04/09/2019)

सत्यमेव जयते

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