



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.17972 of 2015

and

M.P. (MD) Nos.1 and 2 of 2015

WEB COPY

- 1.P.Ayyakannu
 - 2.Arulmani
 - 3.Balasubramanian
 - 4.Murugesan S/o Karuppan
 - 5.Thangarasu
 - 6.Mudiyappan
 - 7.Natarajan S/o Arjun
 - 8.Natarajan S/o Kanthasamy
 - 9.Lister
 - 10.Rajmohan
 - 11.Murugesan S/o Maruthai
 - 12.Shanmugsundaram
 - 13.Devar
 - 14.Palaniyandi
 - 15.Solai Elangovan
- ... Petitioners

Vs

- 1.State Rep by,
The Inspector of Police,
Mannachanallur,
Trichy District.

- 2.Somasundaram
- ... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to quash the charge sheet filed against the petitioners on the file of the learned Judicial Magistrate No.3, Trichy as C.C.No.200 of 2015.



For Petitioners : Mr.S.Muthukrishnan
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

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ORDER

The petitioners are facing trial in C.C.No.200 of 2015 on the file of the Judicial Magistrate No.3, Trichy.

2.The petitioners held a demonstration in front of the Taluk Officer, Mannachanallur, on 15.04.2015 at about 11.00 a.m., It appears that the prohibitory orders were then in force without getting permission and in violation of the prohibitory orders, demonstration was conducted. Hence, at the instance of the second respondent herein, a criminal case was registered and the same was culminated in the final report. The learned Judicial Magistrate No.3, Trichirappalli, took cognizance of the offences under Section 151 of Cr.P.C., r/w 7(1)(A) CLA Act @ 143, 341, 353, 188 of IPC. To quash the same, this criminal original petition has been filed.

3.Heard the learned counsel on either side.

4.It is not the case of the prosecution that the petitioners indulged in any act of violence. All that they did was to conduct the demonstration peacefully. The object, for which, the demonstration was held, is also a laudable one. Of-course, one may have difference of opinion as regards whether the rivers have to be inter-linked or not. But then, the overall aim is to do away with the water scarcity in various parts of the country.

5.I am therefore of the view that the continuation of the impugned prosecution is not really going to secure the ends of justice. It is seen that the petitioners were arrested and spent a day in prison. The petitioners have complained that even food was not provided to them. This is a defiance of law which did not have any negative consequences. Therefore, I am of the view that the impugned prosecution need not be continued to secure the ends of justice. It is relevant to note here that all the petitioners herein are agriculturists, which impels me to quash the impugned proceedings. Hence, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.Side)

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Sub Assistant Registrar(CS)



To

1.The Judicial Magistrate No.3, Trichy.

2.The Inspector of Police,
Mannachanallur,
Trichy District.

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

+1 CC to M/s.S.MUTJU KRISHNAN, Advocate (SR-104463[F] dated
11/12/2019)

CrI.O.P (MD) No.17972 of 2015
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AP (01/06/2020) 3P 5C