



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD) No.12674 of 2020

and

Crl.M.P(MD) No.5771 of 2020

M.Ibrahim Babu @ Ibrahim Babhu

... Petitioner/
Accused No.13

Vs.

1.The State represented by
The Inspector of Police
Avaniyapuram Police Station,
Madurai District.
Crime No. 214 of 2020.

...Respondent No.1/
Complainant

2.S.Ganesan, S/o.Not known
Village Administrative Officer,
Avaniyapuram Village,
Madurai South,
Madurai District.

... Respondent No.2/Defacto
Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned First Information Report in Crime No.214 of 2020, on the file of the 1st respondent police station and quash as against the petitioner concerned as illegal.

For Petitioner: Mr.R.Karunanidhi
For R-1 : M/s.S.E.Veronica Vincent
Government Advocate (Crl. Side)

O R D E R

Heard, the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the first respondent.

2.This Criminal Original Petition has been filed for quashing the First Information Report in Crime No.214 of 2020

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registered on the file of Avaniyapuram Police Station. The second respondent / Village Administrative Officer is the de-facto complainant.

3. The gist of the First Information Report is that on 14.02.2020, at about 10.00 a.m. the petitioner and others had conducted demonstration and without getting prior permission from the concerned officials in violation of the prohibitory orders to protest against the recent amendments made to the Citizenship Laws.

4.The case of the respondent is that the petitioner by his acts had committed public nuisance. He had also caused interference with the free flow of general traffic.

5.Though, there are prima facie materials to justify the registration of the First Information Report, I am of the view that its continuance is not warranted. This is because no untoward incident had taken place. The country had witnessed protests all over by different sections of people against the said amendments. The petitioner is a Range Incharge of Social Democratic Party of India, Thirupparankundram. Therefore, he had also organised a protest. Since the protest was peaceful and even the First Information Report does not disclose any act of violence or happening of untoward incident, I am of the view that the continued prosecution is not warranted. Quashing the same will secure the ends of justice.

6. Hence, the First Information Report impugned in this petition stands quashed. The Criminal Original Petition stands allowed. The benefit of this order will enure not only for the petitioner but also the non-petitioning accused. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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