



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2020

CORAM :

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THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P(MD) No.15532 of 2020

Kamil @ Mohammed Kamil @ Kamil Husain ...Petitioner/2nd Accused

Vs.

1.The Inspector of Police
Uchipuli Police Station
Ramanathapuram District
(Crime No.100 of 2020)

...1st Respondent/Complainant

2.Ansar Raja
Village Administrative Officer
Pudumadam Group
Ramanathapuram Taluk
Ramanathapuram District
Complainant

...2nd Respondent/Defacto

Prayer : This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to F.I.R in Crime No.100 of 2020 on the file of 1st respondent police and quash the same as far as this petitioner is concerned.

For Petitioner: Mr.C.Muthusaravanan

For R1 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

Heard, the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Criminal side) appearing for the first respondent.

2.This Criminal Original Petition has been filed for quashing the FIR in Crime No.100 of 2020, on the file of the first respondent police station registered under Sections 143, 188 and 290 IPC. The second respondent / Village Administrative Officer is the de-facto complainant.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The gist of the First Information Report is that on 16.03.2020 at about 17.00 hours, the petitioner along with others had conducted a demonstration against the Amendment of CAA (Citizenship Amendment Act), NRC (National Register Citizenship) and NPR.

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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. 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 FIR in Crime No.100 of 2020 will secure the ends of justice.

6. Hence, the case in Crime No.100 of 2020 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.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

1.The Inspector of Police
Uchipuli Police Station
Ramanathapuram District

<https://hcservices.ecourts.gov.in/hcservices/>



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

Crl.O.P(MD) No.15532 of 2020
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SSS (CO)

NR (07/01/2020) 3P : 3C