



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P(MD)No.15066 of 2020 and

Crl.M.P. (MD) No.7222 of 2020

WEB COPY

Najma Begam @ Najima Begam

(Wrongly mentioned as Najma Begam in FIR

instead of Najima Begum)

...Petitioner/Accused No.3

Vs

1.The State represented by

The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City,
Madurai.

(In Crime No.741 of 2020)

...Respondent No.1/Complainant

2. Ramesh

Sub Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.

...Respondent No.2/

Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records pertaining to the impugned First Information Report in Crime Number 741 of 2020, on the file of the first respondent police station and quash the same as against the petitioner concerned as illegal.

For Petitioner : Mr.R.Karunanidhi

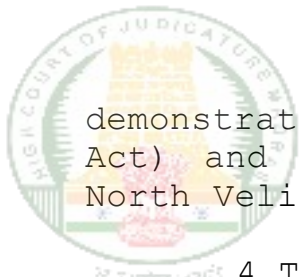
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor
(Crl.side)

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 First Information Report in Crime Number. 741 of 2020 registered on the file of Vilakkuthoon Police Station, Madurai City. The second respondent / Sub Inspector of Police is the de-facto complainant.

3. The gist of the First Information Report is that on 16.05.2020, the petitioner along with others had conducted a



demonstration against the Amendment of CAA (Citizenship Amendment Act) and NRC (National Register Citizenship) near Anna Statue, North Veli Veethi, Madurai.

4.The case of the respondent is that the petitioner by her acts had committed public nuisance. She 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 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-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vrn

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,
Vilakkuthoon Police Station,
Madurai City,
Madurai.



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

+1 cc to Mr.R.Karunanidhi , Advocate SR.No.26163

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KM (06.01.2021) 3P 4C