



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6496 of 2018

and

Crl. M.P. No. 3388 of 2018

V.Rajakumaran

... Petitioner/Accused

Vs.

State Represented by
Inspector of Police
S-15, Selaiyur Police Station
Chennai.
(Crime No. 1230/2017)

... Respondent/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records culminated in first information report in Cr. No.1230 of 2017 dated 22.07.2017 on the file of the respondent police and quash the same.

For Petitioner : M/s.R.Prabhakaran

For Respondents : Mr.C.E.Pratap

Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R in Crime No.1230 of 2017 on the file of the respondent police.

2. The case of the petitioner is that the petitioner is working as Deputy Manager of Kaleesuwari Refinery Ltd., Mambakkam Main Road, Vengaivasal, Chennai. There are 750 employees are working in the factory. Out of which, there is 250 women employees are working and the factory is functioning round the clock. In the meanwhile. two TASMAL liquor shops attached with deluxe bar have been opened near the factory premises. From the



day of opening of the above Tasmac shops, there is continuous threatening to security and safety of women employees.

3. On 22.07.2017, Vengaivasal Villagers, its President and the petitioner's factory employees organized a demonstration in front of the Tasmac shops, for which the respondent police registered a case against the petitioner and other accused persons in Cr.No.1230 of 2017 for the offence under Section 143 & 188 of IPC.

4. Challenging the same, the petitioner has filed the present petition to quash the FIR.

5. The learned counsel for the petitioner submitted that on 22.07.2017, the petitioner and Vengaivasal Villagers, its President and the petitioner's factory employees organized a demonstration in front of the Tasmac shops in peaceful manner without affecting law and order. The petitioner is arrayed as first accused in the FIR. But there is no specific overtact attributed against the petitioner and there is no allegation for threatening to cause damage to the public property. The mere fact that the petitioner was a part of group which stood in front of the Tasmac shop and raising slogans seeking closure of Tasmac shops. Hence, the learned counsel prays to quash the FIR.

6. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl side).

7. The facts of the present case is covered by the reported Judgments of this Court in Jeevanandham and others Vs. State Rep. by Inspector of Police and another reported in (2018) 2 LW Cr1 606 and Sri Raja Vs. State Rep. By Inspector of Police, Sivakasi Town Police Station, Virudhunagar District, and another reported in (2019) 2 LW Cr1 350. Accordingly, the FIR in Crime No.393 of 2020, is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar



1. The Inspector of Police
S-15, Selaiyur Police Station
Chennai.

2. The Public Prosecutor,
High Court of the Madras.

Cr1.O.P.No.6496 of 2018
and Cr1. M.P. No. 3388 of 2018

BS(CO)
B.VC (21/10/2021)