

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.4364 OF 2021

AND

CRL.MP.NOS.2806 & 2810 OF 2021

Mohammed Rasheeth

... Petitioner/
A-1

vs.

The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
(Cr. No.286 of 2019)

... Respondent/
Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned C.C.No.256 of 2020 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai and quash the same as against the petitioner.

For Petitioner : Mr.A.Raja Mohamed

For Respondent : Mr.C.Raghavan
Government Advocate

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.256 of 2020 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai.

2. The case of the prosecution is that the accused persons indulged in a demonstration/protest without obtaining any permission and thereby, caused hindrance to the general public and the free flow of traffic. A final report has been filed against the petitioner for the offences under Section 143 and 290 of IPC and Section 41 of the Tamil Nadu City Police Act, 1888 and Section 4A(1a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959.

3. Heard Mr.A.Raja Mohamed, learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing on behalf of respondent.

4. In the considered view of this Court, the final report and the statement recorded from the witnesses only shows that there was a protest against the amendment made by the Central Government in certain enactments. No offence has been made out as against the petitioner and no useful purpose will be served in continuing with the proceedings at this length of time.

5. In view of the above, the proceedings in C.C.No.256 of 2020 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai, is hereby quashed and the Criminal Original petition is allowed. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
2. The VII Metropolitan Magistrate,
George Town, Chennai.
3. The Public Prosecutor,
High Court of Madras.

+2cc to Mr.A.Raja Mohamed, Advocate, S.R.No.15056

CrI.O.P No.4364 of 2021
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PCH(CO)
CS/09/04/2021