



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.4186 OF 2017

&

CRL.M.P.NO.3094 OF 2017

1. Veera TamilSelvan
2. V.T.Saveetha
3. V.T.Rasheetha
4. John Begam

... Petitioners

Vs

1. The State represented by
the Inspector of Police,
J.1 Saidapet Police Station,
Chennai - 600 015.

2. Thirumurugan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for connected records in Crime No.422 of 2017 on th file of the Inspector of Police, J1 Saidapet Police Station, Chennai - 600 015 and quash the same.

For Petitioners	: Mr.R.Sankarasubbu
For Respondents	: Mr.R.Kishore Kumaar
	Government Advocate
	[Criminal Side] - R1

Service awaited for R2

O R D E R

This petition has been filed to quash First Information Report registered in Crime No.422 of 2017 for the offences under sections 294[b] and 353 of Indian Penal Code.

2. The crux of the allegation is that when the police officials were escorting the accused in Crime No.383 of 2017 on the file of J1 Saidapet Police Station, the accused way laid them and questioned them as to how they are taking the accused



and abused the police officials. Thereby, the first Information Report in Crime No.422 of 2017 has been registered.

3. The learned counsel appearing for the petitioners submitted that during the Jallikattu protest, some of them have been arrested high handedly and the same was questioned by the petitioners and hence, the First Information Report has been registered and the same infact does not constitute any offence. Thereafter, G.O.No.99 has been passed withdrawing the First Information Reports registered against the protesters. Whereas, the petitioners have just questioned the arrest of one of the protester. Hence, submitted that the First Information Report registered against the petitioners has to be quashed.

4. Normally, the Courts will not interfere with the First Information Report registered by the Police. However, when the First Information Report does not indicate any of the offence, even on its face value and continuance of investigation based on the said First Information Report will not serve any purpose. The very allegation in the First Information Report itself indicate that the accused have infact questioned the police official about taking the accused in Crime No.383 of 2017. The entire allegation in the First Information Report is general in nature and no specific allegation as to the nature of abusive words spoken by the petitioners and how the police people have been wrongfully restrained have not been spoken in the entire First Information Report. Further, there is no specific allegations against the petitioners in the First Information Report for continuing investigation against the petitioners. In such view of the matter, continuing investigating based on the above First Information Report will not serve any purpose and even if investigation is conducted, no materials will be unearthed, since the very defacto complainant and the witnesses are police officials. Hence, the First Information Report registered against the petitioners is liable to be quashed.

5. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered in Crime No.422 of 2017 on the file of J.1 Saidapet Police Station, Chennai - 600 015 against the petitioners is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vrc/kbs



To

1. The Inspector of Police,
J.1 Saidapet Police Station,
Chennai - 600 015.

2. The Public Prosecutor,
High Court, Madras-104.

Crl.O.P.No.4186 of 2017 &
Crl.M.P.No.3094 of 2017

AD(CO)
RLP(07/12/2021)