



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.806 of 2021
and
Crl.M.P.(MD) No.356 of 2021

1.Madharsha Babu
2.Irshath @ Irsath
3.Ramalan
4.Jahir Hussion @ Zahir Hussain
5.Shanavash @ Shanavas
6.Sithiq @ Siddiq ... Petitioners/Accused 1 to 6

Vs.

1.The State Represented by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(In Crime No.814 of 2019) ... Respondent/Complainant

2.S.Karthik ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.814 of 2019 on the file of the first respondent police and quash the same as illegal as against the petitioners.

For Petitioners : Mr.S.M.A.Jinnah

For 1st Respondent : Mr.A.Robinson,
Government Advocate (Criminal Side)

ORDER

The present petition is filed by the petitioners under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.814 of 2019 of Karur Town Police Station, Karur District, and quash the same as against the petitioners.

2.A perusal of the First Information Report shows that on 17.12.2019, when the Sub-Inspector of Police (2nd respondent), Karur Town Police Station, along with his men was on routine rounds he found the petitioners along with others protesting



against the amendments made to the Citizenship Laws. According to the complainant, namely, the Sub-Inspector of Police, Karur Town Police Station, the petitioners and others by their act had not only committed public nuisance, but also caused hindrance to the free flow of vehicular traffic on the road.

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3.Mr.A.Robinson, learned Government Advocate (Criminal side) who accepts notice for the first respondent, would contend that the investigation in Crime No.814 of 2019 of Karur Town Police Station, is already completed and charge sheet has also been made ready against the accused for the alleged offences punishable under Sections 143 and 341 of Indian Penal Code.

4.It is to be pointed out that no untoward incident had taken place. The petitioners have organized the protest and the First Information Report has not disclosed any act of violence. Moreover, a protest is constitutional, till it does not destroy property or endanger life.

5.In the circumstances, the First Information Report in Crime No.814 of 2019 on the file of the first respondent, is quashed as against the petitioners and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Karur Town Police Station,
Karur District.



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

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CrI.O.P. (MD) No.806 of 2021
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