



WEB COPY



CrI.O.P.No.10329 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P. No.10329 of 2022
and
CrI.M.P.Nos.6135 & 6138 of 2022

1.Rangaswamy
2.Palanisamy
3.Surendiran
4.Govindaraj
5.Babu Nanthigowder
6.Gopal

... Petitioners

Vs.

1.The State represented by
The Inspector of Police,
B1 Police Station,
Udhagamandalam,
The Nilgiris – 643 007.

2.Mr.Karthik Kumar
The Sub-Inspector of Police,
B1 Police Station,
Udhagamandalam,
The Nilgiris – 643 007.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in S.T.C.No.220 of 2021 pending on the file of the learned Judicial Magistrate, Udhagamandalam, and quash the same.



WEB COPY



CrI.O.P.No.10329 of 2022

For Petitioners : Mr.Ramaswamy Meyyappan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the case in S.T.C.No.220 of 2021 pending on the file of the Judicial Magistrate, Udthagamandalam, for the offences punishable under Sections 143 and 341 IPC and quash the same.

2.The case of the prosecution is that, on 07.01.2020 at about 01.00 p.m., when the 2nd respondent/Sub-Inspector of Police, B1 Police Station, was in his official routine patrol duty, he witnessed the members of the Nilgiris Potato and Vegetable Growers Association, including the petitioners, indulging in a protest/agitation near OLD DPO Junction in Ooty to Gudalur Road, against the Government's decision to ban usage of pesticides and insecticides in the Nilgiris District, thereby, causing hindrance to the traffic and the public. Based on the complaint given by the 2nd respondent/Sub-Inspector of Police, a case was registered in Crime No.5 of 2020 on the file of the 1st respondent



Crl.O.P.No.10329 of 2022

Police, against 8 named accused including the petitioners and others, for the offences punishable under Sections 143 and 341 IPC. The respondent Police have filed a final report before the Judicial Magistrate, Udhagamandalam and the learned Judicial Magistrate, Udhagamandalam has taken cognizance of the same in S.T.C.No.220 of 2021, to quash which, the petitioners have filed the present Criminal Original Petition.

3.The learned counsel appearing for the petitioners would submit that the facts of the case are similar to the case covered in the decision reported in ***2018 2 LW (Crl) 606 [Jeevanandham and others Vs The Inspector of Police Velayuthampalayam Police Station, Karur District]*** dated 20.09.2018 and in the case of ***Sri Raja Vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other*** in ***Crl.O.P(MD).No.7922 of 2019, etc. batch***, dated 30.08.2019.

4.Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the respondents, would submit that the facts of the case are similar to the facts covered under the judgment referred above.



Crl.O.P.No.10329 of 2022

WEB COPY 5. Heard both sides and perused the materials available on record.

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Crl) 606 [Jeevanandham and others Vs The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in the case of **Sri Raja Vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in **Crl.O.P.(MD) No.7922 of 2019, etc., batch**, dated 30.08.2019.

7. In view of the above, no useful purpose will be served by allowing the proceedings to be continued against the petitioners/accused. This Criminal Original Petition stands allowed and considering the facts and submissions, the proceedings in S.T.C.No.220 of 2021 pending on the file of the learned Judicial Magistrate, Udhagamandalam, is hereby quashed in respect of the petitioners/accused. Consequently, connected miscellaneous petitions are closed.

29.04.2022

mkn



CrI.O.P.No.10329 of 2022

To
WEB COPY

- 1.The Inspector of Police,
B1 Police Station,
Udhagamandalam,
The Nilgiris – 643 007.
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.10329 of 2022

A.D.JAGADISH CHANDIRA, J.
mkn

Crl.O.P. No.10329 of 2022

29.04.2022