



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2022

CORAM

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P No.11291 of 2022

and

Crl.M.P.No.6544 of 2022

Metha

.. Petitioner/Accused No.1

vs.

1. State rep. By,  
The Inspector of Police,  
Magaral Police Station,  
Kancheepuram District.

..1<sup>st</sup> Respondent/Complainant

2.Saraswathi

..2<sup>nd</sup> Respondent/de facto  
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case registered in Crime No.200 of 2022 dated 21.04.2022, pending on the file of 1<sup>st</sup> respondent police and quash the FIR.

For Petitioner : Mr..G.M.Sankar

For Respondents: Mr.A.Damodaran for R1,  
Additional Public Prosecutor.

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.200 of 2022, pending on the file of the 1<sup>st</sup> respondent.

2.It is seen that the First Information Report is registered for the alleged offences under Sections 143, 188 and 341 of IPC. Already this Court has categorically held that there cannot be a registration of an FIR for the offence under Section 188 as per the judgment in Jeevanandham vs State reported in 2018 2 LW (Crl.) 606 . As far as the offence under Section 143 is concerned, the same relates to the democratic protest and this Court in the above said judgment of the Jeevanandam as well as the order in Crl.OP.No.17903 of 2021 has held that the continuation of the investigation in respect of democratic



protest would amount to abuse of process of law. The learned Additional Public Prosecutor cannot dispute the said legal position.

3. In that view of the same, this Criminal Original Petition is allowed and the FIR in Crime No..200 of 2022, on the file of the 1<sup>st</sup> respondent is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-  
VACATION OFFICER

//True Copy//

Sub Assistant Registrar

shk/kp

To

1. The Inspector of Police,  
Magaral Police Station,  
Kancheepuram District.
2. The Public Prosecutor,  
Madras High Court.

+1cc to Mr.G.M.Sankar, Advocate, S.R.No.31945

[01/06/2022]

Cr1.O.P No.11291 of 2022  
and  
Cr1.M.P.No.6544 of 2022

SSI (CO)  
CT 01/06/2022