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Crl.O.P.No.27441 of 2022
and Crl.M.P.No.16875 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.27441 of 2022
and Crl.M.P.No.16875 of 2022

C.Arun

...

Petitioner

versus

1.State Rep. by
Inspector of Police,
Thondamuthur Police Station,
Coimbatore District.
(Crime No.159/2022)

2.Indumathi

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.159 of 2022 on the file of the Thondamuthur Police Station, Coimbatore and quash the FIR against the petitioner/A-5.

For Petitioner : Mr.V.Balamurugan

For Respondent No.1 : Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.159 of 2022 on the first respondent police.

2. The petitioner is the fifth accused. On the complaint given by the second respondent, a case has been registered against the petitioner and 5 others in Crime No.159 of 2022 on the file of the first respondent police for the offences under Sections 342, 355, 294(b), 323, 506(i) of IPC.

3. The petitioner is a graduate in Visual Communication and he comes from a reputed family. He has got more credentials in his favour due to his various world record activities. The second accused had organised an event to rescue the mentally ill persons, orphans, who are found near Coimbatore Railway Station, Bus Stand, Kovai Government Hospital and road side. Various NGOs and other Organisations have also joined in this event and due police permission has been obtained by the organisers on 04.07.2022 itself. The then Commissioner of Police,



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Coimbatore City, V.Balakrishnan I.P.S., have also conducted a joint raid along with NGOs and rescued such people in the city on 22.07.2022 and 23.07.2022. The second respondent had suppressed all these facts and filed a false complaint against the petitioner. The first respondent police without making any enquiry has registered a case against the petitioner and others. The petitioner Trust is 'Society of Challengers Social Charitable Trust' and it did not involve in any of the activities done by the Trust and officials on 22.07.2022 and 23.07.2022.

4. On perusal of the F.I.R., it is seen that the F.I.R. has been given by the Tahsildar, Perur Taluk, by alleging that on the information that around 200 beggars have been restrained by the petitioner and 5 others across Tamil Nadu, she went to the office of Bless India Trust where she found 130 members were restrained. When she enquired they told her that some service agencies had taken them and harassed them. A case has been registered in this regard for the offences under Sections 342, 355, 294(b), 323, 506(i) of IPC.



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5. The records would show that some of the Government Organisations have joined together with an object to rescue mentally ill persons and orphans, who found near the popular public place of Coimbatore. They also got due permission from the DCP, South Coimbatore City. The event was organised just for the purpose of rescuing the people in needy and photographs have also been produced to show the same. The first respondent police had without verifying the actual operation that was done to rescue the people, who are mentally ill persons had taken action against the persons, who are service minded and who have given their genuine contribution in the said event.

6. It is seen in the earlier orders of this Court made in Crl.O.P.Nos.21247 & 21256 of 2022 (A-2 & A-1), Crl.O.P.No.21108 of 2022 (A-3), Crl.O.P.No.21723 of 2022 (A-4) and Crl.O.P.No.21049 of 2022 (A-6), wherein on the petitions by the other accused namely, A-1, A-2, A-3, A-4 and A-6, this Court had quashed the F.I.R. and allowed the petitions. Since the F.I.R. has been quashed in the earlier orders, there is no necessity for the petitioner to file a fresh petition seeking to quash the F.I.R.



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once again. Since the pendency of the F.I.R. is going to serve no purpose and it is also made clear that the case has been registered without proper enquiry, the petition can be allowed.

7. Accordingly, this Criminal Original Petition stands allowed and the F.I.R. in Crime No.159 of 2022 on the file of the first respondent police is hereby quashed as against this petitioner/A-5 also. Consequently, connected Miscellaneous Petition is closed.

10.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

1.State Rep. by
Inspector of Police,
Thondamuthur Police Station,
Coimbatore District.

2.The Public Prosecutor,
Madras High Court,
Chennai.

5/6



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R.N.MANJULA, J.

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