



CrI.O.P.No.31898 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2022

CORAM:

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.31898 of 2019

and

CrI.M.P.No.17476 of 2019

1.A.M.Munusamy
2.C.M.Thulasimani
3.Kavin Kumar
4.Ponnusamy @ Ki.Ve.Ponnaiyan
5.V.P.Gunasekaran

..Petitioners

Vs.

1.State represented by,
The Inspector of Police,
Erode Taluk Police Station,
Erode District.
(Crime No.810 of 2018)

2.Mr.Asokan
The Sub Inspector of Police,
Erode Taluk Police Station,
Erode District.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the Crime No.810 of 2018 on the file of the Inspector of Police, Erode Taluk Police Station, Erode District and quash the same.



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For Petitioners : M/s.M.Guruprasad
For R1 : Mr.N.S.Suganthan
Government Advocate (Crl.Side)
For R2 : No appearance

ORDER

This Criminal Original Petition is filed to quash the criminal complaint initiated by the Sub Inspector of Police, attached to the Erode Taluk Police Station, Erode District.

2. The Gist of the complaint is that the petitioners herein, who are the land owners protested for erecting the High Tension Transmission Tower in their land. With permission of this Court, they underwent relay hunger strike. As per the permission granted by this Court, no person above the age of 50 years should participate and the protesters should not disturb the public peace. While so, these petitioners invited the leaders of the political parties on 27.12.2018, made the shop owners to close the shops and created unrest and caused disturbance to the public peace. Further, few of the participants to the hunger strike got fainted and admitted in the hospital, thereby committed offences under Sections 147, 153, 505(1)(b)(c) &



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504 & 336 I.P.C.

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2. This complaint is out come of the State oppression of the agitating public expressing their reservation for laying High Tension Transmission Tower in their agricultural land. The allegations, as found in the complaint and the Sections under which these petitioners were booked, have no relevancy even if the allegations made in the complaint accepted as gospel truth.

3. Furthermore, the learned Government Advocate (Crl.Side) for the State would submit that subsequent to the protest, the Government has negotiated the respective land owners and they have permitted erection of tower after getting due compensation. Presently, there is no disturbance to the peace and tranquility in the area.

4. Recording the same, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed. The complaint in Crime No.810 of 2018 on the file of the Inspector of Police, Erode Taluk Police Station is hereby quashed.

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Index :Yes/No.
Speaking order/Non-speaking order

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Dr.G.JAYACHANDRAN,J.

rpl

To,

1. The Inspector of Police,
Erode Taluk Police Station,
Erode District.

2.The Public Prosecutor,
High Court, Madras.

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22.11.2022