



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.1151 of 2022

and

Crl.M.P. (MD)No.835 of 2022

WEB COPY

1.Syed Abuthahir

2.Kaleel Rahman

3.Saqubar Sathick ... Petitioners/Accused No 12,20,21
vs.

1.State rep. by
Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.270 of 2017)

2.N.Rajeshwari ... Respondents/Complainant, Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to Crime No.270 of 2017 on the file of the first respondent police and quash the same insofar as it relates to the petitioners.

For Petitioners	: Mr.K.Yasar Arafath
For R1	: Mr.M.Sakthi Kumar
	Government Advocate (crl.side)

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for R1.

2. The petitioners stand accused in Crime No.270 of 2017 registered on the file of the Paramakudi Town Police Station for the offences under Sections 341, 143 & 188 of IPC.

3. The case of the prosecution is that the accused assembled in public without getting prior permission and committed the offence in question.

4. It is seen that the petitioners are the members of a political party. They had assembled to voice their support for the

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farmers who were protesting the farm laws. The petitioners were after all exercising their democratic right to protest. They did not indulge in any act of violence. No adverse consequence ensued. Therefore, continuation of the impugned prosecution is not really warranted. The impugned FIR stands quashed.

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5. This Criminal Original Petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

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,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.1151 of 2022
24.01.2022

JE (CO)
KB (25.01.2022) 2P 3C