



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1678 of 2022

and

Cr.M.P(MD)Nos.1217 & 1219 of 2022

Jubair Ahamed @ Juper

... Petitioner/
Accused No.8

Vs.

1.The State represented by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.42 of 2020)

... 1st Respondent/
Complainant

2.Pitchaipandian,
Inspector of Police,
Batlagundu Police Station,
Dindigul District.

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings in S.T.C.No.326 of 2020 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District and quash the same as against the petitioner.

For Petitioner : Mr.M.Seenisulthan

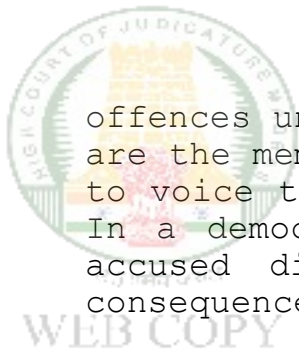
For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side) for R.1

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) for the first respondent.

2. The case of the prosecution is that the accused assembled in public on 20.01.2020 and held protest against the citizenship amendment laws in violation of the prohibitory orders. That led to registration of Crime No.42 of 2020 on the file of the Batlagundu Police Station. The case was charge sheeted and cognizance of the



offences under Sections 143, 341 and 283 IPC was taken. The accused are the members of a recognised political party. They had assembled to voice their opposition to the laws amending the Citizenship Act. In a democratic society, such protests have to be permitted. The accused did not indulge in any act of violence. No adverse consequence ensued.

3. Therefore, the continuance of the impugned prosecution is not warranted. This impugned proceeding stands quashed. This Criminal Original Petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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 Judicial Magistrate,
Nilakottai,
Dindigul District.
- 2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.1678 of 2022

and

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