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[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15303 of 2023
and Crl.M.P No.9527 & 9528 of 2023

1.Bala @ Balavelan
2.Saravana Tamilan
3.K.S.Karthish Kumar
4.Sakthivel
5.Suresh Kumar
6.Murugesan

Petitioners

vs.

1.State By: The Inspector of Police,
Flower Bazaar Police Station,
Chennai.

2.M.Kannan
The Sub Inspector of Police,
Flower Bazaar Police Station,
Chennai.

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.924 of 2022 on the file of the VIII Metropolitan Magistrate, Court, Geroage Town, Chennai and quash the same.

For Petitioner : Mr.R.Thirumoorthy

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



ORDER

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This criminal original petition has been filed seeking to quash the proceedings in C.C.No.924 of 2022 pending on the file of the learned VIII Metropolitan Magistrate Court, George Town, Chennai.

2.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

3.The 2nd respondent gave a complaint to the effect that the accused persons without getting any permission assembled on 28.01.2019 and carried out a road roko expressing their dissatisfaction against the Central Government. Thereby, they brought the entire traffic to a standstill and also caused hardship to the general public. They also prevented the police from discharging their public function. Based on this complaint, an FIR came to be registered in Crime No.49 of 2019. Ultimately, on completion of the investigation, a final report was filed before the Court below and the Court below has taken cognizance of the final report for offence under Sections 332, 147, 290 and 352 of IPC.

4.Taking into consideration the facts and circumstances of the case and also of the fact that this case only involves a protest that was made by the members belonging to an organization and no serious allegations or charges have been made



against the petitioners and the incident had taken place in the year 2019, this Court is inclined to interfere with the proceedings pending before the Court below in C.C.No.924 of 2022 and accordingly, the same is hereby quashed.

5.In the result, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

10.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr

To

- 1.The VIII Metropolitan Magistrate, Court, Geroqe Town, Chennai.
- 2.The Inspector of Police,
Flower Bazaar Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

ssr

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