



CrI.O.P.No.19171 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.19171 of 2023

and

CrI.M.P.No.12907 of 2023

- 1.Raja
- 2.Senthil Kumar
- 3.Sathish Kumar
- 4.Srirangan
- 5.Manikandan
- 6.George
- 7.Gowtham
- 8.Lokesh Prabhu
- 9.Jayakumar
- 10.Leenus
- 11.Karthikeyan
- 12.Aravindakumar
- 13.Sathish
- 14.Jothi prakasam

...Petitioners

VS.



CrI.O.P.No.19171 of 2023

The State rep by
The Inspector of Police,
J-1, Saidapet Police Station,
(Crime No.431 of 2018)

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the criminal proceedings in CC.No.7154 of 2018 pending on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner : Mr.M.N.Kathir

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to quash the proceedings pending in CC.No.7154 of 2018 pending on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai.

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.



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3. A complaint was given by the Inspector of Police, Saidapet Police Station on 23.05.2018 to the effect that the accused persons had conducted the protest without obtaining any permission and they were demanding for the permanent closure of Sterlite Company at Thoothukudi and as a result of the protest, there was hindrance to the general public and free movement of traffic. Further, the accused persons did not withdraw the protest in spite of the request made by the police and thereby they prevented the police from performing their official functions.

4. In the considered view of this Court, the Police shoot out during the Sterlite issue caused a lot of unrest in Society and various protests were conducted. Such a protest was made across the State of Tamil Nadu and it was a spontaneous reaction for the incident. The gathering of the accused persons cannot be considered to be an unlawful assembly. Such protest has resulted in some disruption of traffic and disturbance to general public. The facts and circumstance of the case does not warrant a full-fledged trial at this stage and the facts of this case can be brought within the scope of Section 95 of IPC.

5. In the light of the above discussion, the CC.No.7154 of 2018 pending



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on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai is quashed. Accordingly, this criminal original petition is allowed. Consequently, the connected miscellaneous petition is also closed.

28.08.2023

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

To

- 1.The IX Metropolitan Magistrate,
Saidapet, Chennai
- 2.The Inspector of Police,
J-1, Saidapet Police Station,
(Crime No.431 of 2018)
3. The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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N. ANAND VENKATESH, J.

nsa

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