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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.15157 of 2023
and Crl.M.P No.9471 of 2023

1.Devid Chellappa
2.Vel Krishnan
3.Tamilvanan
4.Munusamy @ Kannagi
5.Gopinath
6.Raja @ Peruman
7.Mariyappan
8.Sidhanatham
9.Vedi @ Vedyappan

Petitioners

VS.

1.State By: The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
(Crime No.930 of 2020)

2.R.Gokul
Sub Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records made in impugned charge sheet in STC No.675 of 2023 dated 03.05.2023 on the file of Judicial Magistrate-II, Dharmapuri and quash the same.



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For Petitioner : Mr.R.Sankarasubby

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

ORDER

Mr.A.Damodaran, learned Additional Public Prosecutor takes notice on behalf of the 1st respondent.

2.The complaint was given against the petitioners by the 2nd respondent on the ground that they went on a procession without any permission and caused hardship to the general public and this was done during the pandemic period. Based on the complaint, an FIR came to be registered in Crime No.930 of 2020. On the completion of the investigation, a final report has been filed before the learned Judicial Magistrate-II, Dharmapuri and the Court below has taken cognizance for offence under Sections 143, 151, 270 and 341 of IPC as against nine accused persons. Aggrieved by the same, the present criminal original petition has been filed before this Court.

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

4.Taking into consideration the facts and circumstances of the case and also of

the fact that it was only a case of the petitioners taking a procession during the



pandemic period and there are no serious charges against the petitioners warranting a full fledged trial, the continuation of the proceedings will only be an abuse of process of Court. In view of the same, this Court is inclined to interfere with the proceedings pending before the Court below.

5. In the light of the above, the proceedings in STC No.675 of 2023, pending on the file of the learned Judicial Magistrate-II, Dharmapuri, is hereby quashed.

6. Accordingly, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

10.07.2023

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

To

1. The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri.

2. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

ssr

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