



WEB COPY



CrI.O.P No.16291 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.16291 of 2023

and

CrI.M.P.No.10335 of 2023

Abdul Sathik

... Petitioner

vs.

The State Rep. by
The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.
(Crime No.121/2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records F.I.R. in Crime No.121 of 2020 dated 05.03.2020 on the file of the respondent police and quash the same as against the petitioner.

For Petitioner : Mr.H.Thameen Ansari

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to quash the F.I.R. in Crime No.121 of 2020 pending on the file of the respondent.



CrI.O.P No.16291 of 2023

WEB COPY 2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of respondent.

3. A complaint was given against the accused persons on the ground that they had protested and raised slogans against the CAA, NRC and NPR without getting any permission. The F.I.R. was registered for offences under Sections 143, 341 and 283 of I.P.C. on 05.03.2020.

4. The offence under Section 143 of I.P.C. is punishable with maximum imprisonment of six months, the offence under Section 341 of I.P.C. is punishable with maximum imprisonment of one year and the offence under Section 283 of I.P.C. is punishable only with fine. Till date final report has not been filed. Hence, even if a final report is filed, the concerned Court cannot take cognizance of the same as it is barred under Section 468 of Cr.P.C. In view of the same, no useful purpose will be served in keeping the F.I.R. pending and it will be an abuse of process of law which requires interference of this Court.



Crl.O.P No.16291 of 2023

WEB COPY 5. In the light of the above discussions, the F.I.R. in Crime No.121 of 2020 is quashed in its entirety and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

21.07.2023

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

To

- 1.The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.
- 2.The Public Prosecutor,
High Court, Madras.

N. ANAND VENKATESH, J.



WEB COPY



Crl.O.P No.16291 of 2023

rsi

Crl.O.P No.16291 of 2023
and
Crl.M.P.No.10335 of 2023

21.07.2023