



WEB COPY



Crl.O.P No.19848 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19848 of 2023
and
Crl.M.P.Nos.13426 and 13427 of 2023

M.Satish Kumar
S/o.Murugesh

... Petitioner/A-6

vs.

1.State rep. by
Inspector of Police,
Salem Town Police Station,
Salem City.

2.Sekar
S/o.Manikam
Village Administrative Officer,
Salem City.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet as against the petitioner/Accused 6 in S.T.C.No.3795 of 2022 under Sections 143 and 269 of I.P.C., on the file of the learned Judicial Magistrate No.I, Salem.

For Petitioner : Mr.S.Prasanth

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor



Crl.O.P No.19848 of 2023

ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the proceedings in S.T.C.No.3795 of 2022, pending on the file of learned Judicial Magistrate No.I, Salem.

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

3. The case of the prosecution is that on 17.08.2020 between 11.40 a.m. to 12.00 noon, the accused persons had formed an unlawful assembly and protested against the nuisance caused by the stray dogs in the locality. As a result, there was a disruption to the traffic and inconvenience caused to the general public and it was done during the pandemic period. Based on the complaint given by the second respondent, an F.I.R. came to be registered in Crime No.767 of 2020 and on completion of the investigation, a final report has been filed before the Court below for offences under Sections 143 and 269 of I.P.C.

4. In the considered view of this Court, the protest that was conducted by the accused persons cannot be considered as unlawful. That apart, even if



Crl.O.P No.19848 of 2023

the allegations are taken as it is, no offence is made out against the accused persons. In view of the same, this Court is inclined to interfere with the proceedings as against all the accused persons.

5. In the light of the above discussions, the proceedings in S.T.C.No.3795 of 2022, pending on the file of Judicial Magistrate Court No.I, Salem is hereby quashed in its entirety and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

07.09.2023

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

To

- 1.The Inspector of Police,
Salem Town Police Station,
Salem City.
- 2.The Judicial Magistrate No.I,
Salem.
- 3.The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.O.P No.19848 of 2023

N. ANAND VENKATESH, J.

rsi

Crl.O.P No.19848 of 2023
and
Crl.M.P.Nos.13426 and 13427 of 2023

07.09.2023