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Crl.O.P.No.17794 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17794 of 2023
and Crl.M.P No.12076 of 2023

- 1.Mohamed Rijivan @ Mohamed Rijwan
- 2.Asraf Ali @ Asaraf Ali
- 3.Mohamed Magathira @ Mohamed Mahathir
- 4.Mohamed Faisal @ Ahamed Faisal
- 5.Furugan @ Burukanudeen

.... Petitioners

-Vs-

- 1.State through Inspector of Police
Kuthalam Police Station
Mayiladuthurai in Crime No.76 of 2020.

- 2.Venkaesan

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire of FIR in Crime No.76/2020 on the first of the respondent No.1 police station and quash the same.

For Petitioners : Mr.J.Antony Jesus

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor - for R1

ORDER

This petition has been filed to quash the FIR in Crime No..76 of 2020 pending investigation on the file of the first respondent police.



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2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3. The FIR was registered on the ground that the accused persons involved in a protest against the Citizenship Amendment Act. In view of the same, FIR has been registered under Sections 143 and 341 of IPC.

4. The Government has already issued Government Order to withdraw all the cases pertaining to the protest made against the Citizenship Amendment Act. In view of the same, the continuance of investigation will result in abuse of process of law.

5. In result, the FIR that was registered by the respondent police in Crime No76 of 2020 on the file of the first respondent police is unsustainable and the same is liable to be quashed by this Court and accordingly, it is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

11.08.2023

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



To

1.The Inspector of Police,
Kuthalam Police Station
Mayiladuthurai in Crime No.76 of 2020.

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



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N. ANAND VENKATESH, J.

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