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Crl.O.P.No.17414 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.17414 of 2023
and Crl.M.P.Nos.11338 and 11339 of 2023**

Hariharan

.. Petitioner

Versus

**1. The State rep., by
The Inspector of Police,
Pollachi Town Police Station,
Coimbatore.
(Crime No.74 of 2019)**

**2. The Sub-Inspector of Police (3236),
Pollachi Town Police Station,
Coimbatore.**

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Charge Sheet in S.T.C.No.505 of 2021 on the file of the learned Judicial Magistrate No.I, Pollachi and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.V.Vishnu

**For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor**



Crl.O.P.No.17414 of 2023

ORDER

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This petition has been filed seeking to quash the proceedings in S.T.C.No.505 of 2021 pending on the file of the learned Judicial Magistrate No.I, Pollachi.

2. The case of the prosecution is that the accused persons had protested in a public place without getting any permission and inspite of the request made by the Police, they refused to disburse from the place and they prevented the Police from performing their duty. They also resorted to road roko. Based on this complaint given by the second respondent, an F.I.R came to be registered in Crime No.74 of 2019. On completion of investigation, the Final Report was filed before the Court below and it has been taken cognizance by the Court below for offences under Sections 143, 341, 153 and 353 of I.P.C.

3. Heard Mr.V.Vishnu, learned Counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondents.



Crl.O.P.No.17414 of 2023

WEB COPY

4. In the considered view of this Court, the accused persons were agitating against a sex scandal that took place at Pollachi and were demanding for punishing the persons who were involved in the said incident. In view of the same, the accused persons cannot be said to have assembled for an unlawful object. That apart, any agitation will result in some disturbance caused to the public and considering the reason for the agitation, this Court finds that none of the offences, for which the Final Report has been filed, is made out. The continuation of the proceedings as against the accused persons will only result in abuse of process of Court.

5. In the light of the above discussion, the proceedings in S.T.C.No.505 of 2021 on the file of the learned Judicial Magistrate No.I, Pollachi is quashed in its entirety and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

08.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To



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WEB COPY

1. The Judicial Magistrate No.I,
Pollachi.
2. The Inspector of Police,
Pollachi Town Police Station,
Coimbatore.
3. The Sub-Inspector of Police (3236),
Pollachi Town Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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