



WEB COPY



Crl.O.P.No.17261 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17261 of 2023

Kurinjithen

... Petitioner

vs.

1.The Inspector of Police,
C-1, Kattur Police Station,
Coimbatore,
(Crime No.433 of 2019)

2.T.Sivakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to charge sheet in C.C.No.2324 of 2019 on the file of the Judicial Magistrate No.II, Coimbatore and quash the same as against the petitioner.

For Petitioner : Mr.R.Sankarasubbu

For R1 : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to quash the proceedings pending in C.C.No.2324 of 2019 on the file of the learned Judicial Magistrate No.II, Coimbatore.



Crl.O.P.No.17261 of 2023

2. Heard the learned counsel for the petitioner and the learned

Additional Public Prosecutor.

3. The case of the prosecution is that accused persons had joined together and shouted slogans against the State Government for not providing proper protection to those who perform inter-caste marriage and to withdraw 10% reservation that was given to the upper caste. The object of the protest that was made by the accused persons cannot be stated to be unlawful object and hence, offence under Section 143 of IPC is not made out. Similarly, the offence under Section 341 of IPC also not made out, since the public were put to hardship, which is a natural consequence that takes place whenever there is a protest.

4. The continuation of the proceedings against the accused persons in C.C.No. 2324 of 2019 will result in abuse of process of Court and hence, entire proceedings in C.C.No.2324 of 2019 on the file of the learned Judicial Magistrate No.II, Coimbatore is quashed and this Criminal Original petition stands allowed.

07.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citations: Yes/ No
mpl



Crl.O.P.No.17261 of 2023

WEB COPY

1. The Inspector of Police,
C-1, Kattur Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY



Crl.O.P.No.17261 of 2023

N. ANAND VENKATESH, J.
mpl

Crl.OP No.17261 of 2023

07.08.2023