



WEB COPY



Crl.O.P.No.18669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18669 of 2023

and

Crl.M.P.No.12448 of 2023

1. Mr.E.Abdul Hakkin,
S/o.Md.Iliyas
2. K.Mohamed Nowfill,
S/o.Kadhar Batcha
3. Jubair @ J.Mohamed Jeefer Ali,
S/o.Mohamed Jaleel
4. A.Kadhar Batcha,
S/o.Abdul Rahim
5. R.Moorthi,
S/o.Ramasamy Gownder
6. R.Sevvilamparithi,
S/o.N.Ramalingam

... Petitioners

Vs.

1. State represented by,
Sub-Inspector of Police,
Mettupalayam Police Station,
Coimbatore. (Crime No.90 of 2021)

2. Mr.S.Senthilkumar

... Respondents



Cr.L.O.P.No.18669 of 2023

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.90 of 2021 on the file of the respondent police and quash the same as against the petitioners.

For Petitioners : Mr.A.Rajamohamed

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.90 of 2021 pending on the file of the first respondent.

2. The second respondent gave a complaint to the first respondent to the effect that on 26.01.2021 at about 11.05 a.m., around 110 men and 60 women undertook a protest without any permission and were raising slogans against the Hon'ble Prime Minister of India criticizing the implementation of the Farmer Produces Trade and Commerce Act, 2020. Thereby, the same resulted in disturbing the traffic and the movement of the general public. Based on this complaint, a First Information Report came to be registered by the first respondent in Crime No.90 of 2021 for offences u/s.143, 341, 269, 271 and 505(1)(c) IPC.



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3. Heard Mr.A.Rajamohamed, learned counsel for petitioners and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

4. In the considered view of this Court, the protest was made for a cause. The same cannot be held to be an unlawful assembly. That apart, the facts of the present case can be brought within the scope of Section 95 IPC. No useful purpose will be served in continuing the investigation in this case since the very identity of the persons, who have indulged in protest will become difficult.

In the light of the above discussion, this Criminal Original Petition is allowed and the First Information Report in Crime No.90 of 2021 on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is closed.

17.08.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm



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CrI.O.P.No.18669 of 2023

N.ANAND VENKATESH, J.

gm

To

1. The Sub-Inspector of Police,
Mettupalayam Police Station,
Coimbatore.
Crime No.90 of 2021
2. The Public Prosecutor,
Madras High Court.

CrI.O.P.No.18669 of 2023

17.08.2023