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Crl.O.P No.19737 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.19737 of 2023

and

Crl.M.P.Nos.13357 and 13359 of 2023

Shaik Ahmadulla
S/o.Sahul Hameed

... Petitioner

vs.

State rep. by
Sub-Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.
(Crime No.65 of 2018)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in STC.No.483 of 2019, on the file of the learned Judicial Magistrate No.I, Nagapattinam and quash the entire proceedings against the petitioner/A2.

For Petitioner : Mr.M.Manimaran

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in S.T.C.No.483 of 2019, pending on the file of learned Judicial Magistrate No.I, Nagapattinam.

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

3. The case of the prosecution is that the accused persons were involved in conducting a protest against the non-formation of the Cauvery Management Committee in line with the judgment of the Hon'ble Apex Court. This protest is said to have taken place on 07.04.2018 between 11.40 a.m. to 11.55 a.m. Due to the protest, there was a disruption to the traffic and inconvenience caused to the general public. Based on the complaint, an F.I.R. came to be registered in Crime No.65 of 2018 and on completion of the investigation, a final report has been filed before the Court below for offences under Sections 143 and 341 of I.P.C. against sixteen accused persons.



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4. In the considered view of this Court, the protest that was conducted by the accused persons cannot be stated to be unlawful. Even if the allegations are taken as it is, no offence has been made out against the accused persons. In view of the same, this Court is inclined to quash the proceedings against all the accused persons.

5. In the result, the proceedings in S.T.C.No.483 of 2019, pending on the file of Judicial Magistrate Court No.I, Nagapattinam is hereby quashed in its entirety and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

07.09.2023
(2/2)

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

To

1.The Sub-Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.

2.The Judicial Magistrate No.I,
Nagapattinam.

3.The Public Prosecutor,
Madras High Court.



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N. ANAND VENKATESH, J.

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