



Crl.O.P.No.20562 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20562 of 2023

1. P.Ganapathy
2. V.Sellamuthu
3. N.Arunkumar
4. P.Manikandan
5. G.Indrani

.. Petitioners

Versus

State By:
Inspector of Police,
Mahalingapuram Police Station,
Pollachi,
Coimbatore District.

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records connected with the Final Report / Chargesheet filed by the respondent in S.T.C.No.289 of 2020, on the file of the learned Judicial Magistrate No.II, Pollachi and quash the same in so far as the petitioners herein are concerned.

For Petitioners : M/s.S.Sathia Chandran

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



Crl.O.P.No.20562 of 2023

ORDER

This petition has been filed to quash the proceedings pending in S.T.C.No.289 of 2020 on the file of the learned Judicial Magistrate No.II, Pollachi.

2. Heard M/s.S.Sathia Chandran, learned Counsel for the petitioners and Mr.A.Damodaran, learned Counsel for the respondent.

3. The case of the prosecution is that on 17.03.2019 at about 17.35 hours, the accused persons gathered together as an unlawful assembly near Gowri Krishna Bakery in New Scheme Road and started raising slogans and were protesting to arrest the accused persons involved in the Pollachi sex scandal. As a result, there was disruption to traffic and it caused inconvenience to the general public. Based on the complaint, an F.I.R came to be registered in Crime No.35 of 2019. On completion of the investigation, Final Report has been filed as against 11 accused persons for offences under Sections 143, 341, 153 and 353 of I.P.C. Aggrieved by the same, this quash petition has been filed before this Court.



Crl.O.P.No.20562 of 2023

WEB COPY

4. In the considered view of this Court, the protest that was made by the petitioners cannot be called as an unlawful assembly. This protest was made for arresting the persons who were involved in the Pollachi sex scandal. The facts of this case can be brought within the scope of Section 95 of I.P.C.

5. In the light of the above, the proceedings in S.T.C.No.289 of 2020 on the file of the learned Judicial Magistrate No.II, Pollachi is quashed in its entirety and this Criminal Original Petition stands allowed.

19.09.2023

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

To

1. The Judicial Magistrate No.II,
Pollachi.
2. The Inspector of Police,
Mahalingapuram Police Station,
Pollachi,
Coimbatore District.



Crl.O.P.No.20562 of 2023

3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.20562 of 2023

N.ANAND VENKATESH, J.

grs

Crl.O.P.No.20562 of 2023

19.09.2023