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CrI.O.P.No.2125 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.2125 of 2024

And

CrI.M.P.Nos.1552 and 1554 of 2024

1.K.Natarajan
2.Sudharsan
3.Jawaharlal Sha

... Petitioners

Vs.

State of Tamil Nadu
Sub Inspector of Police,
Chintadripet Police Station,
Triplicane, Chennai – 5.

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.No.2391 of 2019 on the file of XIV Metropolitan Magistrate, Egmore quash the same in respect of the petitioners.

For Petitioners : Mr.M.Devaraj
For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

This petition has been filed to quash the proceedings in C.C.No.2391 of 2019 pending on the file of XIV Metropolitan



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Magistrate, Egmore.

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2.A special report was filed by the Special Sub Inspector of Police to the effect that nearly 632 persons had unlawfully gathered near Tarapore Towers in Anna Salai on 09.01.2019 and they started protesting against the implementation of the new Motor Vehicles Act. That apart, when they were asked to disperse, they did not comply with the directions and they caused disruption to the public movement and traffic and did not allow the Police to perform their public duty. Based on this complaint, a F.I.R. came to be registered in Cr.No.11 of 2019. A final report has been filed after completion of investigation as against 13 accused persons. The petitioners have been added as A1, A4 and A5 and they have filed the present quash petition.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

4.In the considered view of this Court, the protest that was made cannot be taken to be an unlawfull assembly since the protest was against the implementation of a new law under the Motor Vehicles Act. Even though the protest is said to have been done by 632



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persons, final report has been filed as against 13 persons on the ground that they only instigated the protest. The facts of the present case can be brought within the scope of Section 95 of I.P.C. No useful purpose will be served in prosecuting the accused persons for the alleged incident.

5.In the result, the proceedings in C.C.No.2391 of 2019 on the file of XIV Metropolitan Magistrate, Egmore, is quashed in entirety and this criminal original petition is allowed. Consequently, the connected miscellaneous petitions are closed.

09.02.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The XIV Metropolitan Magistrate,
Egmore.
- 2.The Sub Inspector of Police,
Chintadripet Police Station,
Triplicane,
Chennai – 5.
- 3.The Public Prosecutor,

3/4



High Court of Madras,
Chennai 600 104.

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