



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.6635 of 2024
and Crl.M.P.No.4872 of 2024

Ismail @ Mohammed Ismail

... Petitioner

Vs.

State Rep. by: The Sub Inspector of Police,
M4-Redhills, Police Station,
Chennai.
(Crime No.2082 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.2082 of 2021 dated 06.12.2021 on the file of the respondent police and quash the same.

For Petitioner : Ms.V.Sahira Banu

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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This criminal original petition has been filed to quash the FIR in Crime No.2082 of 2021 pending investigation on the file of the respondent police.

2. There was a protest done by the accused persons questioning the drawing of the ground water illegally by a private entity. Such protest cannot be categorized as an unlawful assembly. The facts of the present case can be brought within the scope of Section 95 of IPC.

3. The facts of this case is covered by the reported Judgment of this Court in ***2018 2 LW (Crl) 606 [Jeevanandham and others Vs. State Rep. by Inspector of Police and another]***. Accordingly, the Crime No.2082 of 2021 pending on the file of the respondent, is hereby quashed in entirety and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

20.03.2024

Index: Yes/No
Internet: Yes/No
ssr



1. The Sub Inspector of Police,
M4-Redhills, Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



N.ANAND VENKATESH,J.

SSR

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