



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5521 of 2024

J.Arul

... Petitioner

Vs.

1.State Rep. by: The Inspector of Police,
SIPCOT Police Station,
Thiruvallur District.
(Crime No.152 of 2023)

2.K.Preethi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records culminating Crime No.152 of 2023 pending on the file of the Sipcot Police Station, Tiruvallur District and quash the same.

For Petitioner : Mr.B.M.Subash

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor
for R1



ORDER

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This criminal original petition has been filed to quash the FIR in Crime No.152 of 2023 pending investigation on the file of the 1st 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.152 of 2023 pending on the file of the 1st respondent, is hereby quashed in entirety and the Criminal Original Petition is allowed.

07.03.2024

Index: Yes/No
Internet: Yes/No
ssr



1. The Inspector of Police,
SIPCOT Police Station,
Thiruvallur District.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



N.ANAND VENKATESH,J.

SSR

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