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Crl.O.P.No.3600 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3600 of 2024

and

Crl.M.P.Nos.2651 & 2652 of 2024

Selvakumar

.. Petitioner

Vs.

1. The State Rep.by
The Sub-Inspector of Police(Crime)
C2, Race Course Police Station,
Coimbatore.
(Crime No.712 of 2021)

2. K.Rajinikanth

... Respondents

PRAYER : The Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash the proceeding in S.T.C.No.7754 of 2023 on the file of the Judicial Magistrate No.III, Coimbatore in respect of petitioner /accused No.33.



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For Petitioner : Mr.K.V.Muthuvisakan
For Respondent No.1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original petition has been filed to quash the proceedings in S.T.C.No.7754 of 2023 on the file of the Judicial Magistrate No.III, Coimbatore.

2. Heard Mr.K.V.Muthu Visakan, learned counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate for respondents.

3. The case of the prosecution is that the accused persons had gathered as a group by violating the prohibitory order under Section 144 of Cr.PC during the pandemic period. They started raising slogans in support of farmers and they were demanding for the establishment of Coconut tree board. As a result, they were potentially spreading the



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4. Taking into consideration the facts and circumstances of the case and also of the fact that the agitation had taken place in support of some farmers and this agitation had taken place during the pandemic period and final report itself has been filed only for offense under Section 143 and 269 of IPC. That apart, the facts of the present case can be brought within the scope of Section 95 of IPC. Therefore, the continuation of the Criminal proceedings will only result in an abuse of process of law, which requires the interference of this Court. In view of the above, the proceedings in S.T.C.No.7754 of 2023 on the file of the Judicial Magistrate No.III, Coimbatore, is hereby quashed in its entirety.

5. This Criminal Original petition is allowed.
Consequently, connected miscellaneous petitions are closed.

Index : Yes/No
Internet : Yes/No
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20.02.2024



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To

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1. The Sub-Inspector of Police(Crime)
C2, Race Course Police Station,
Coimbatore.
(Crime No.712 of 2021)
2. The Judicial Magistrate No.III, Coimbatore
3. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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