



WEB COPY



CrI.O.P.No.5351 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5351 of 2024

And

CrI.M.P.No.3903 of 2024

1.S.Rajanikanth
2.S.Sengkodi
3.Dhamaiyanthi
4.Gubendran
5.Ravindiran
6.Manogaran

... Petitioners

Vs.

State by
The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri.
(Cr.No.472 of 2013)

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.No.25 of 2019, on the file of the learned Judicial Magistrate No.I, Dharmapuri and quash the same as illegal.

For Petitioners : M/s.R.Sankarasubbu
For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the proceedings



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pending in C.C.No.25 of 2019 on the file of the learned Judicial Magistrate No.I, Dharmapuri.

2.Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor.

3.The case of the prosecution is that the accused persons had gathered together as unlawful assembly inspite of the prohibition order passed under Section 144 of Cr.P.C. and they indulged in protest and thereby, the prevented the Police from performing their duty and when questioned, they also threatened the Police. Due to the protest, disturbance was caused to the free movement of the general public and vehicles.

4.In the considered view of his Court, one Ilavarasan died and it is alleged that he died due to Police torture. Hence, there was a spontaneous protest that took place. Many of the persons who had been added as accused are Advocates who had joined the protest.

5.Taking into consideration the facts and circumstances of the case, the facts of the present case can be brought within the fold of



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