



Crl.O.P.No.6902 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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- 1.Namburajan
- 2.Karuran
- 3.Marimuthu
- 4.Tamilselvi
- 5.Sundari
- 6.Kalaivani
- 7.Kadhar Basha
- 8.Gandhi
- 9.Rajiv Gandhi
- 10.Madhammal
- 11.Gomathi
- 12.Susila
- 13.Shabana
- 14.Karlamarx

.. Petitioners



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Vs.

1. The State Represented by
Sub-Inspector of Police,
Dharmapuri,
Dharmapuri District.

2. Narayanasamy,
Village Administrative Officer,
Virupathipuram,
Dharmapuri District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to STC.No.1470 of 2022 on the file of the Judicial Magistrate – I, Dharmapuri and to quash the charge sheet.

For petitioners : Ms.M.Rajalakshmi

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

The Petition has been filed seeking to quash the proceedings in STC.No.1470 of 2022 on the file of the Judicial Magistrate – I, Dharmapuri.



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2.The 2nd respondent gave a complaint alleging that the accused persons involved in a protest seeking for free bus pass for persons with disabilities. This protest was made without getting any permission and thereby, the accused persons had prevented the officials from performing the official duty. That apart, the unlawful assembly had taken place against the COVID protocol.

3.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents.

4.In the considered view of this Court, the agitation had taken place for lawful purpose and therefore, it cannot be termed as unlawful assembly. The agitation had taken place seeking for issuance of free bus pass for persons with disabilities. It was a spontaneous protest which had resulted in some disruption in the official functioning in the District Collector Office. The facts of the present case can be brought within the fold of Section 95 of IPC. No useful purpose will be served in continuing with the criminal proceedings. Hence, this Court is inclined to exercise its Jurisdiction under Section 482 of Cr.P.C.



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5.In the light of the above discussion, the proceedings in
STC.No.1470 of 2022 on the file of the Judicial Magistrate – I,
Dharmapuri, is hereby quashed.

6.Accordingly, this Criminal Original Petition is allowed in the
above terms.

25.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.The Judicial Magistrate – I,
Dharmapuri.
- 2.The State Represented by
Sub-Inspector of Police,
Dharmapuri, Dharmapuri District.
- 3.Village Administrative Officer,
Virupathipuram,
Dharmapuri District.
- 4.The Public Prosecutor,
Madras High Court, Chennai.



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