



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL.OP No. 20598 of 2022
& Crl. MP. No. 13507 and 13509 of 2022

1.M.Daison
2.U.Elamaran
3.R.Vivekanandan

[PETITIONERS]

Vs

1 THE STATE REP BY ITS
THE INSPECTOR OF POLICE E-2, ROYAPETTAH POLICE
STATION, CHENNAI - 14. CRIME NO. 1095/2015

2.B.AGILAN RAJ

[RESPONDENTS]

PRAYER : This petition has been filed under Section 482 of Cr.P.C, to call for the records in C.C No. 7544 of 2017 pending on the file of Hon'ble XVIII Metropolitan Magistrate, Saidapet Chennai and quash the same as against the petitioner/accused No.3.



For Petitioner : Ms.S.R.Vivekananthan
For R1 : Mr.S.Vinoth Kumar, Government
Advocate Criminal side
For R2 :

ORDER

The petitioners herein filed this petition to call for the records in C.C No. 7544 of 2017 pending on the file of Hon'ble XVIII Metropolitan Magistrate, Saidapet Chennai and quash the same as against the petitioner/accused No.3.

2. The case of the prosecution is that on 14.03.2015, the petitioner along other accused persons who alleged to be the members of May 17 movement conducted protest in front of the US Embassy, Cathedral Road, Chennai. Hence, the respondent police filed a FIR against the accused persons in crime No. 1095 of 2015 under Section 143, 188 and 285 of IPC. After completing investigation the respondent police filed final report in C.C No. 7544 of 2017 before the XVIII Metropolitan Magistrate, Saidapet. Challenging the same the petitioner filed this petition.

3. Heard both sides.

4. The submission of the learned counsel for the petitioner is that petitioners are innocent public and they were falsely implicated in this case



and also the petitioners are not associated with May - 17 movement. Hence, he prays to allow this petition.

5. On perusal of the records, it reveals that the petitioners name was not specifically mentioned in the FIR and also prosecution failed to produce the materials to show that they are members of May 17 movement. Further, there is no material ingredients against the petitioners. Hence, the C.C No. 7544 of 2017 is hereby quashed

6. In the result, this petition is allowed. No Costs. Consequentially, connected miscellaneous petition is closed.

14.02.2024

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To

The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI, J.

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