



Crl.O.P.(MD)No.8499 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.8499 of 2022

S.Sheik Ibrahim

... Petitioner

Vs.

1.State represented through
The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
(In Crime No.1335 of 2021)

2.M.Santhana Bose

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of impugned First Information Report in Crime No.1335 of 2021 on the file of the first respondent police station and quash the same as illegal as against the petitioner/A1.

For Petitioner : Mr.A.Mohamed Riyaz

For R1 : Mr.B.Nambiselvan,
Additional Public Prosecutor.



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ORDER

This Criminal Original Petition has been filed to quash the impugned First Information Report in Crime No.1335 of 2021 on the file of the first respondent Police.

2.The case of the prosecution is that on 06.12.2021, even though permission was denied to contest protest as against Babari Masjid demolition, the petitioner and others unlawfully assembled by knowing that the epidemic diseases can be spread. Therefore, the first respondent Police registered a case in Cr.No.1335 of 2021 for the offence punishable under Sections 143, 269, 291 IPC and Section 3 of the Epidemic Diseases Act, 1897. Challenging the same, the present petition has been filed.

3.The learned counsel appearing for the petitioner submitted that the petitioner made protest with regard to Babari Masjid demolition issue, on 06.12.2021, without getting any proper permission. He further submitted that all those offences are punishable for six months only and



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though FIR was registered in the year 2021, the investigation in this case is not yet completed and hence, this Court may issue a direction to complete the investigation, within a time frame. He also submitted that the petitioner only made a protest and this Court may permit the petitioner to canvass all the points, which are raised in this petition, before the Investigating Officer.

4.In view of the fair submission made by the learned counsel appearing for the petitioner, this Court is inclined to issue a direction to the first respondent. Accordingly, the first respondent is directed to complete the investigation in Cr.No.1335 of 2021, within a period of twelve weeks from the date of receipt of a copy of this order, by providing opportunity to the petitioner herein.

5.In the result, this criminal original petition is disposed of.

27.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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M.DHANDAPANI,J.

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To

- 1.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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