



Crl.O.P.(MD)No.15206 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.(MD)No.15206 of 2020

Yusuf

... Petitioner/A1

vs.

1.State represented by,
The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City.
(Crime No.525 of 2019)

... 1st Respondent/Complainant

2.Bala Krishnan

... 2nd Respondent/De-facto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.151 of 2020 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.A.Mohamed Yusuf

For R1 : Mr.Thanga Aravindh.B
Government Advocate (Criminal Side)

ORDER

This petition has been filed to quash the proceedings pending in C.C.No.151 of 2020 on the file of the learned Judicial Magistrate No.II, Madurai.



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2. The case of the prosecution is that the accused persons gathered on 05.08.2019 at a Railway junction in Madurai and conducted a protest. In view of the same, it caused inconvenience to the general public and it also resulted in delay of the train proceeding from Madurai to Sengottai, since the protest took place in front of the train. Based on the First Information Report registered, the police report was filed before the Court below and it was taken cognizance for the offence under Sections 143, 341, 353 and 34 of IPC and Section 174(a) of the Railway Act, 1989. There are totally 10 accused persons in this case and the petitioner has been arrayed as A1.

3. Heard Mr.A.Mohamed Yusuf, learned counsel appearing for the petitioner and Mr.Thanga Aravindh.B, learned Government Advocate (Criminal Side) appearing for the 1st respondent.

4. Taking into consideration the facts and circumstances of the case, and considering the fact that the protest was conducted in a peaceful manner for a few minutes, and also considering the fact that this incident had taken place in the year 2019, this Court is inclined to bring the facts of



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the present case under Section 95 of IPC. No useful purpose will be served in proceeding further with this case at this length of time.

5. Apart from the above, on the facts of the case and the materials collected by the police, this Court finds that the accused persons did not have any intention to commit any offence and they were only protesting against a particular issue.

6. In the light of the above discussion, the proceedings in C.C.No. 151 of 2020 on the file of the learned Judicial Magistrate No.II, Madurai is hereby quashed in its entirety for all the accused persons. Accordingly, this Criminal Original Petition stands allowed.

16.12.2024

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Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No

To

1.The learned Judicial Magistrate No.II,
Madurai.



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2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

N. ANAND VENKATESH, J.

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