



Crl.O.P.(MD)No.84 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.84 of 2024

and

Crl.M.P.(MD)No.64 of 2024

1. Bavashkhan@Fawazkhan
2. Ithrish Ahamed@Idrees Ahamed
3. Naina Mohamed

...Petitioners

Vs.

- 1.The Inspector of Police,
represented by the State,
Adirampattinam Police Station,
Thanjavur District.
(In Crime No.78 of 2018)

2. Mathiyalagan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records of impugned First Information Report in Crime No.78 of 2018 on the file of the Respondent No.1 Police Station and quash the same as illegal as against the Petitioner.

For Petitioner : Mr.A.Mohamed Riyaz

For Respondents : Mr.B.Thanga Aravidh
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition had been filed seeking to quash F.I.R in Crime.No.78 of 2018 on the file of the Adirampattinam Police Station. Till date, a final report was not laid before the Court. Therefore, the Petitioner seeks direction to quash the F.I.R.

2. The learned Government Advocate (Crl.Side) vehemently objects that even though the agitation placed by the Petitioners was with reference to a rape and murder of 8 year old child in Kashmir and the Police provided protection to agitators for holding a peaceful agitation, suddenly, they pulled out a flag of a political party and created breach of peace. Therefore, it is not a case to be condoned or taken lightly.

3. The learned Government Advocate vehemently objects to the submission of the Petitioners, seeking to quash F.I.R.

4. As per the submission of the learned Counsel for the Petitioners, the offences are less than three years. Therefore, the period for filing a final report had already lapsed. Therefore, the submission of the learned Counsel

<https://www.mhc.tn.gov.in/judis> for the Petitioners is found acceptable and the petition is allowed. The F.I.R



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in Cr.No.78 of 2018, on the file Adirampattinam Police Station, Thanjavur District is quashed.

5. Recording the said submission, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

05.01.2024

Index : Yes/No

Internet: Yes/No

jbr

To

1. The Inspector of Police,
represented by the State,
Adirampattinam Police Station,
Thanjavur District.
(In Crime No.78 of 2018)
2. The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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