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CrI.O.P.No.31140 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.31140 of 2025 and
CrI.M.P.Nos.21415 & 21417 of 2025

M.Aravind

..Petitioner

Vs

State Rep. By
The Inspector of Police
S1 Police Station
St. Thomas Mount,
Chennai 600 016.

..Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS 2023 praying to call for the entire records connected with the case in C.C.No.633 of 2017 on the file of the Judicial Magistrate, Alandur and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.C.Rajaguru
For Respondent : Mr.R.Vinothraja,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to call for the records and quash the further proceedings in C.C.No.633 of 2017 on the file of Judicial Magistrate, Alandur.



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2. The case of the prosecution is that as per the complaint given by one Porkodin, Inspector of Police, the petitioner along with 25 others, assembled on the Kathipara fly over and conducted a protest, blocking the public vehicles without any valid permission which caused harm and disturbance to the public. Based on the said complaint, the respondent registered a case in FIR in Crime No.548 of 2017 against the petitioner along with 6 others for the offences publishable under Sections 143, 145, 147, 188, 189, 353 & 506 (1) I.P.C., and the same has been taken on file in C.C.No.633 of 2017 before the learned Judicial Magistrate, Alandur.

3. Learned counsel appearing for the petitioner would submit that the petitioner and others assembled in a democratic manner and were walking in the Kathipara flyover footpath towards Theeran Chinnamalai statue to issue pamphlets regarding contemplating the implementation of Methane and Hydrocarbons projects in the agricultural lands in Cauvery River basin. During their assembly, no untoward incident or violence occurred and the ingredients of the offence under Sections 353 & 506 (1) I.P.C., are not made out. He would further submit that the facts of the instant case are similar to the facts of the cases in *Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District* [2018 2 LW



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(Crl) 606/ and Sri Raja vs Inspector of Police, Sivakasi Town Police

Station Virudhunagar District and others in (CrI.O.P(MD) No.7922 of 2019 decided on 30.08.2019) in which this Court had quashed the prosecutions and hence, this case is squarely covered by these two decisions.

4. Per contra, the learned Government Advocate (Criminal Side) would submit that the petitioner and others had illegally gathered and caused nuisance to the public. He would further submit that when the respondent had asked them to disperse, they have dispersed from the place. He would also fairly submit that there was no violence or untoward incident and nobody was injured in the said incident and would endorse the aforesaid submission of the counsel for the petitioner.

5. Heard the learned counsel and perused the materials available on record.

6. Admittedly, the aforesaid two decisions would apply on all fours to the instant case. Further, concededly, there was no act of violence during the democratic protest and the case is pending from the year 2017 against the petitioner and 25 others.



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A.D.JAGADISH CHANDIRA, J.

vum

7. In view of the above, this Court is of the opinion that no useful purpose will be served by keeping the proceedings pending from the year 2017 without any progress.

8. Accordingly, the Criminal Original Petition stands allowed and the proceedings in C.C.No.633 of 2017, pending on file of the Judicial Magistrate, Alandur, is hereby quashed in respect of all the accused. Consequently, connected miscellaneous petitions are closed.

13.11.2025

vum

Neutral Citation: Yes/No

Index : Yes / No

To

1. The Inspector of Police
S1 Police Station,
St. Thomas Mount,
Chennai 600 016.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31140 of 2025 and
Crl.M.P.Nos.21415 & 21417 of 2025