



WEB COPY



CrI.O.P.(MD)No.22794 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.(MD)No.22794 of 2024

and

CrI.M.P(MD) No.14276 of 2024

Sahul Hameed

.. Petitioner

Vs

1.The State of Tamil Nadu rep.by
The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District,
(Crime No.469 of 2022)

2.Sakthivel

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned FIR in Crime No.469 of 2022 dated 22.09.2022 on the file of the first respondent police and to quash the same against the petitioner/4th accused as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.G.Sarathkumar

For R1 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



Crl.O.P.(MD)No.22794 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed to quash the proceedings in Crime No.469 of 2022 on the file of the respondent police.

2. The case projected against the petitioner is that the petitioner along with other accused persons, who are belonging to SDPI party on 22.09.2022 at about 01.00 p.m., blocked the road without permission near pulikadu Division Road raising slogans against NIA raids on their party headquarters and arrest of their leaders, thereby they have restrained the public and obstructed free flow of traffic which caused disturbance to public, hence a case has been registered in Crime No.469 of 2022 for the offences under Sections 143, 341, 453, 504 and 291 of IPC against the accused persons.

3. The contention of the petitioner is that the case was registered in the year 2022, but till date no charge sheet has been laid and the case is kept pending without any progress. He would further submit that no specific overt act has been attributed as against any of the petitioner herein. The learned counsel appearing for the petitioner would further submit that the facts of the case are exactly similar to the case covered in



Crl.O.P.(MD)No.22794 of 2024

the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in the case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019**

4. The learned Additional Public Prosecutor would submit that the petitioner and others had held protest without getting any permission from the concerned officials. He would fairly submit that this Court in similar grounds quashed the proceedings based on the citations referred by the learned counsel appearing for the petitioners.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

6. Perused the materials on record

7. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police**



Crl.O.P.(MD)No.22794 of 2024

Station, Karur District] dated 20.09.2018 and in case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.

8. In the result the Criminal Original Petition stands allowed and the proceedings in Crime No.469 of 2022 on the file of the first respondent police is quashed not only against the petitioner but also as against all the other accused, who are also similarly placed. Consequently, connected miscellaneous petition is closed.

02.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ta

To

- 1.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District,
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22794 of 2024

M.NIRMAL KUMAR,J.

ta

Crl.O.P.(MD)No.22794 of 2024

02.01.2025