



CrI.O.P.(MD)No.22782 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.(MD)No.22782 of 2024

and

CrI.M.P(MD) No.14271 of 2024

Marees @ Mareeswaran

.. Petitioner

Vs

1.The State of Tamil Nadu rep.by
The Inspector of Police,
Rameswaram Temple Police Station,
Ramanathapuram District,
(Crime No.118 of 2017)

2.Rotrico

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned FIR in Crime No.118 of 2017 under Sections 143, 188 of IPC on the file of the first respondent police and quash the same as illegal.

For Petitioner : Mr.D.Balamurugapandi

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



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in Crime No.118 of 2017 on the file of the respondent police.

2. The case projected against the petitioner is that the petitioner along with other accused persons on 08.12.2017 at about 11.30 a.m., unlawfully assembled together and conducted dharna by raising slogan against the political leader near Holy Agni Seashore, Rameshwaram, 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.118 of 2017 for the offences under Sections 143 and 188 of IPC against the accused persons.

3. The contention of the petitioner is that the case was registered in the year 2017, 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 the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others**



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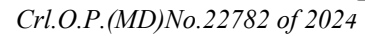
vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in the case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019

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 Station, Karur District] dated 20.09.2018*** and in case of ***Sri Raja vs***



8. In the result the Criminal Original Petition stands allowed and the proceedings in Criem No.118 of 2017 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.

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

1. The Inspector of Police,
Rameswaram Temple Police Station,
Ramanathapuram District,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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