

Crl.O.P.(MD)No.429 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.429 of 2025

and

Crl.M.P.(MD)No.287 of 2025

- 1.Mohamed Ismail
- 2.Abdul Rahuman
- 3.Satham Hussan
- 4.Mohaitheen Abdul Kathar
- 5.Mohammed Asarutheen
- 6.Mubarak Mydeen
- 7.Azarudeen
- 8.Dhivan Mohamed
- 9.Kamarudeen
- 10.Mohammed Yuniskhan
- 11.Abbas
- 12.Vasim Akram

... Petitioners

Vs.

The State rep by
Sub Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar, Tamil Nadu-626 117.
Crime No.264 of 2022

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records in Crime No.264 of 2022 on the file of the respondent police and quash the same as against the petitioners.

For Petitioner : Mr.A.Rajamohamed



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

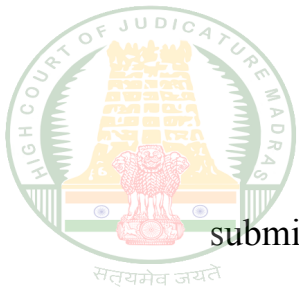
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ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.264 of 2022 on the file of the respondent police.

2. The case projected against the petitioners is that on 28.09.2022 at about 16.30 hours, the petitioners without permission from the concerned authority illegally assembled and conducted protest for arresting the SDPI state Secretary and for banning PFI organization for five years, 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.264 of 2022 for the offences under Sections 143, 290, 291 and 341 of IPC as against the accused persons.

3. The contention of the petitioners 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



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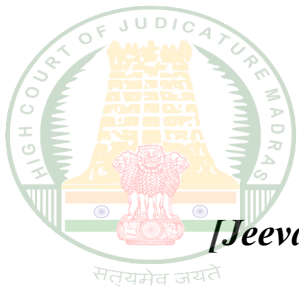
submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in the case of **Sri Raja vs Inspector of Police, Sivakasi 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**



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[Jeevanandham and others vs. The Inspector of Police

Velayuthampalayam Police 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.264 of 2022 on the file of the respondent police is quashed not only against the petitioners but also as against all the other accused, who are also similarly placed. Consequently, connected miscellaneous petition is closed.

09.01.2024

NCC : Yes / No
Index : Yes / No
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To

1.Sub Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar, Tamil Nadu-626 117.

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



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M.NIRMAL KUMAR, J.

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