



WEB COPY

CRL OP No. 1388 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

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

CRL OP No. 1388 of 2026

R.S.Rajesh

..Petitioner

Vs

1. State by
The Inspector of Police,
P-5, M.K.B. Nagar Police Station,
Pulianthope, Chennai.
(Crime No.907 of 2022)

2. G.Ambethkar
The Inspector of Police,
P-5, M.K.B.Nagar Police Station,
Pulianthope,
Chennai.

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings as against the petitioner in Crime No. 907 of 2022, pending on the file of the first respondent.

For Petitioner : Mr.Mohamed Riyaz

For Respondents : Mr.K.M.D.Muhilan,
Additional Public Prosecutor For R-1



ORDER

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The present Criminal Original Petition has been filed to quash the proceedings in Crime No.907 of 2022, pending on the file of the first respondent Police.

2. The case of the prosecution is that on 21.12.2022, the petitioner and others, who belong to a political party, without obtaining prior permission, had unlawfully staged a protest by raising slogans against the industrial estates for the befoul emission of smoke from the industries, thereby causing disturbance to the public. Therefore, the aforesaid case in Crime No.907 of 2022 was registered by the respondent Police for the offences under Section 143 of IPC and Sections 71A(1), 41(6)(a) of Tamil Nadu City Police Act.

3. Learned counsel appearing for the petitioner submitted 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*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. Hence, he prayed to quash the proceedings pending against the petitioner.



4. Learned Additional Public Prosecutor appearing for the respondent Police fairly endorsed the aforesaid submission.

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

6. In view of the above, this Court is of the opinion that the above said decisions would apply on all fours to the present case and that no useful purpose will be served by keeping the proceedings pending and hence, the impugned proceedings is liable to be quashed. Further, though the petition has been filed by the petitioner alone, no useful purpose would be served by allowing the proceedings to continue against the remaining accused, who are all similarly placed, and it is an abuse of process of law.

7. Accordingly, the Criminal Original Petition stands allowed and the proceedings pursuant to the First Information Report in Crime No.907 of 2022, on the file of the respondent Police is hereby quashed in its entirety.

29-01-2026

Neutral Citation: Yes/No
SRM



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The Inspector of Police,
P-5, M.K.B. Nagar Police Station,
Pulianthope, Chennai.
2. The Public Prosecutor,
High Court of Madras.

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