



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2019

CORAM:

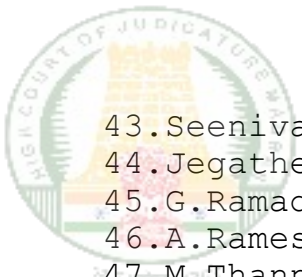
THE HONOURABLE **MR. JUSTICE. N. SESHASAYEE**

Cr1.O.P. (MD) No.1840 of 2019

and

Cr1.M.P. (MD) No.995 of 2019

- 1.P.Paramasivan
- 2.P.Jeyakumar
- 3.C.Kalaiarasan
- 4.J.Jeyakannan
- 5.M.MahendraPrabu
- 6.I.Velmani
- 7.Gurudoss
- 8.A.Mayakannan
- 9.Malathi
- 10.K.S.Gomathi
- 11.Jeyakodi
- 12.Saroja
- 13.Manonmani
- 14.G.Annamathi
- 15.Sangeetha
- 16.Tamilarasi
- 17.Grace
- 18.Shila
- 19.Suma
- 20.V.Leelavathi
- 21.D.Malliga
- 22.Kumutha
- 23.Tamilarasi
- 24.Lalitha
- 25.C.Kannan
- 26.M.Sanaimuthu
- 27.T.Nahendran
- 28.N.Krishnakumar
- 29.Kannan
- 30.R.G.Suresh
- 31.Maruthupandian
- 32.Selvaraj
- 33.Ramachandran
- 34.SenthilBoopathy
- 35.V.Ramamoorthy
- 36.A.Pandiarajan
- 37.Thangadurai
- 38.Shanmuganathan
- 39.K.Karuthiruman
- 40.A.Muthukumar
- 41.Senthilkumar
- 42.Jeganathan



43. Seenivasan
44. Jegatheesan
45. G. Ramadass
46. A. Rameshkumar
47. M. Thannasi
48. K. Antony
49. K. Murugesan
50. S. Arjun Muthukumaran
51. Antony
52. Murugaraj
53. Ramanathan
54. S. Saravanan
55. Sathaiyan
56. Sathaiyan
57. G. Backiaraj
58. S. Senthilkumar
59. Gugaprasath
60. V. Chinnasamy
61. Muthuraj
62. Thangaraj
63. Muniyandi
64. Sivakumar
65. G. Balasubramaniyan
66. Ramar
67. Rejesh
68. Arumugam
69. Maharajan
70. Alagarsamy
71. Selvaganesan
72. Vairamuthu
73. Karuppasamy
74. Ramachandran
75. Kavitha
76. Dhanalakshmi

: Petitioners

/Vs./

1. State represented by
The Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.
(Crime No. 357 of 2018)

2. Mr. Murugan,
Special Sub Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to call for the records pertaining to the impugned FIR in Crime No. 357 of 2018 dated 26.11.2018 pending on the file of the respondent no.1 and quash the same as illegal.



For Petitioners : Mr.T.Lajapathi Roy
For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. Side)

ORDER

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This criminal original petition is filed to quash the FIR in Crime No.357 of 2018 dated 26.11.2018 pending on the file of the respondent no.1.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side).

3. The petitioners are arrayed as accused no.1 to 76 for the offences under Sections 143, 341 and 285 IPC, based on the complaint preferred by the second respondent.

4. The case of the prosecution is that the petitioners staged the protest against the Government Orders. In the course of agitation, the Government orders namely G.O.Ms.No.234 and 303 are alleged to have been burned by the accused persons. Hence, the complaint has been filed by the second respondent.

5. The learned counsel appearing for the petitioners submitted that on the face of the FIR, no offence is made out and for the offence under Section 285 IPC, there must be fire to endanger human life. Mere burning of a paper even though Government Orders are not likely to endanger human life. There is no indication that the burning of a piece of paper endangers human life.

6. This Court finds merit in the submission of the learned counsel appearing for the petitioners. Hence, the impugned FIR is quashed as against the offences under Sections 143 and 285 IPC only and accordingly, this criminal original petition is partly allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.



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

மதுரை+2CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No. 49488

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TR (03.04.2019) 4P 5C