



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

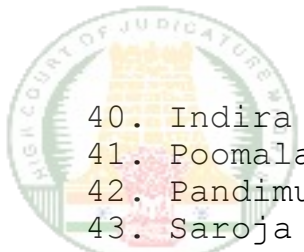
DATED: 09.03.2020

CORAM

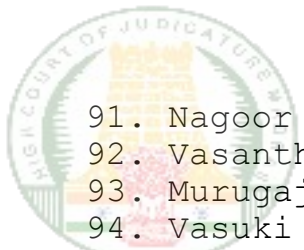
THE HON`BLE MR.JUSTICE G.R.SWAMINATHAN

CRL OP(MD). No.4244 of 2020 and
CRL.O.P.(MD)Nos.2369 & 2370 of 2020

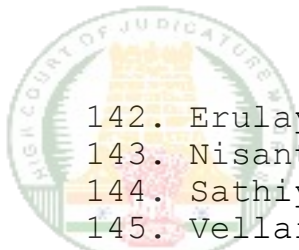
1. Thinakararaj
2. Jahfar Sadiq
3. Murugavel
4. M.Thamarikani
5. V.Ramalingam
6. V.Kuppusamy
7. V.Karuppaiah
8. Karunanithi
9. Paulsamy
10. Perumal
11. Krishnan
12. V.Pandi
13. Palani
14. Ashok Paulraj
15. Sakkarai
16. Aariyamuthu
17. Thirunagu
18. Manoharan
19. Soundirarajan
20. Chithiraivel
21. S.Sornavalli
22. Muniyammal
23. R.Meena
24. V.Ramu
25. Kalimuthu
26. Malar
27. Shanmugavalli
28. Poomayil
29. T.Suganya
30. S.Muthulakshmi
31. Nagavalli
32. Malathi
33. Velanganni
34. Gunamathi
35. Chandira
36. Thiru Nagamma
37. Thinakaram
38. Pandiammal



40. Indira
41. Poomalai
42. Pandimuthu
43. Saroja
44. Poomayil
45. Deivanai
46. Muniyamma
47. Sagunthala
48. Sundaravalli
49. Kalaiyarasi
50. Saroja
51. Thiruvani
52. Pandiammal
53. Prabavathi
54. Panchavaranam
55. Karuppasamy
56. Thinni
57. Valli
58. Muneeswari
59. Packiyam
60. Selvi
61. Sethurasu
62. Murugeswari
63. Gandhi
64. Thirunagammal
65. Devi
66. Velammal
67. Shanmugavalli
68. Manickavalli
69. Muthurakku
70. Muniyammal
71. Thangavelu
72. Lakshmi
73. Sathya
74. Nagavalli
75. Ramalakshmi
76. Ponnuthayee
77. M.Sumathi
78. Erulayee
79. Selvi
80. Lakshmi
81. Nagoorkani
82. Ramayee
83. Panchavarnam
84. Valli
85. Kanthammai
86. Maragathavalli
87. Saraswathi
88. Shanmugavalli
89. Alagammal
90. Mouni



91. Nagoor Kani
92. Vasanthi
93. Murugajothi
94. Vasuki
95. Erulayee
96. Ananathi
97. Gundumani
98. Rajakumari
99. Meenambal
100. Kannammal
101. Indira
102. Chittu
103. Panchavaranam
104. Selvi
105. Devi
106. Sagunthala
107. Nagajothi
108. Poongothai
109. Nattathi
110. Pappa
111. Vasantha
112. Cauvery
113. Pandiammal
114. Yosothai
115. Poomayil
116. Vijayalakshmi
117. Rani
118. Panchavaranam
119. Rakku
120. Muniyamma
121. Chinnaponnu
122. M.Jothi
123. Erulayee
124. Kalimuthu
125. Velammal
126. Karuppayee
127. Shanmugavalli
128. Thavamani
129. Villammal
130. Poongothai
131. Vasiyammal
132. Yosathai
133. Gurusekaran
134. Meenakshi
135. Amutha
136. Dhanalakshmi
137. Muthurakku
138. Boopathi
139. Indurani
140. Thamenthi



142. Erulayee
143. Nisanthi
144. Sathiyar
145. Vellaichiyammal
146. Ambiga
147. Ambiga.K
148. Vasuki
149. K.Vijayalakshmi
150. Guruvammal
151. Nagammal
152. Vijayarani
153. Lingammal

... Petitioners/Accused

Vs

1.The Inspector of Police,
Elanjampur Police Station,
Ramanathapuram District.
(In Crime No. 49 of 2016).

... 1st Respondent/Complainant

2.P.Sivakumar,
Village Administrative Officer,
Melasirupothu Post,
Mudhukulathur Taluk,
Ramanathapuram District..

... 2nd Respondent/
Defacto Complainant

PRAYER :-

Criminal Original petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in S.T.C.No.1513 of 2016 on the file of the learned Judicial Magistrate, Mudhukulathur in Crime No.49 of 2016 on the file of the 1st Respondent Police and quash the same in respect of the petitioners.

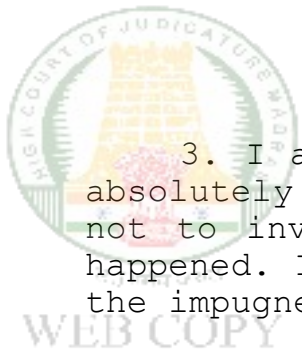
For Petitioner : M/s.R.Venkatesan,
Advocate.

For R-1 : Mr.A.Robinson,
Government Advocate (Crl.Side)

O R D E R

The petitioners are facing trial in S.T.C.No.1513 of 2016 on the file of the Judicial Magistrate, Mudhukulathur.

2. It appears that the petitioners had taken part in a demonstration for closure of a liquor outlet. The demonstration was held on 17.06.2017 at about 12.15 p.m. Totally 152 women and 22 men had taken part. It is true that the agitation was held in defiance of the prohibitory orders. But then, it is not the case of the prosecution that any adverse consequence ensued as a result. The petitioners are not indulging in any act of violence.



3. I am of the view that the prosecution of the petitioners is absolutely unwarranted. Breach of a prohibitory order per se ought not to invite criminal prosecution. Something more must have been happened. In this case in as much as no negative consequence ensued, the impugned proceedings deserve to be quashed.

4. The proceedings in S.T.C.No.1513 of 2016 on the file of the Judicial Magistrate, Mudhukulathur, stand quashed. The criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1.The Judicial Magistrate, Mudhukulathur.

2.The Inspector of Police,
Elanjampur Police Station,
Ramanathapuram District.
(In Crime No. 49 of 2016).

3.P.Sivakumar,
Village Administrative Officer,
Melasirupothu Post,Mudhukulathur Taluk,
Ramanathapuram District..

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

+1 CC to M/s.R.VENKATESH, Advocate (SR-10753[F] dated 10/03/2020)

ORDER
IN

CRL OP(MD) No.4244 of 2020

Date : 09/03/2020

pmu

TK/SAR./18.03.2020/5P/6C