



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) No.4787 of 2020

and

Crl.M.P. (MD) No.2746 of 2020

1.XXXXXX

2.S.Siva

... Petitioners / A1 & A2

-vs-

1.The State of Tamilnadu,
represented by its Sub Inspector of Police,
Manoor Police Station,
Tirunelveli District.
(Crime No.110 of 2015)

2.Selvakumar

... Respondents / Complainants

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records pertaining to the FIR in Crime No.110 of 2015 pending on the file of the 1st respondent and quash the same.

For Petitioners : Mr.G.Karuppasamy Pandiyan

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

Heard the learned counsel for the petitioners and the learned Government Advocate for the first respondent.

2.This Criminal Original Petition has been filed for quashing the First Information Report in Crime No.110 of 2015 registered on the file of the Manoor Police Station for the offences under Section 160 of IPC. The First Information Report reads that the petitioners herein were spraying ink on each other and pushing each other down in a public street and they did not pay heed to the warning issued by the police and caused alarm among the members of the public. The second respondent, therefore, arrested both of them and registered the impugned First Information Report under Section 160 of IPC.



rise to an automatic presumption that it has resulted in disturbance of the public peace.

10. I am clearly of the view that the very registration of the impugned First Information Report is an abuse of legal process. In this view of the matter, the impugned First Information Report stands quashed and this Criminal Original Petition stands allowed.

11. It is made clear that the registration of the impugned First Information Report will not be put against the petitioners for any reason whatsoever. In other words, the mere registration of the First Information Report will not constitute disqualification for the petitioners to apply for any public employment. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Note:

When the Registry issues the certified copy, the name of the first petitioner shall remain suppressed. His identity shall not be disclosed.

To

1. The Sub Inspector of Police,
Manoor Police Station, Tirunelveli District.

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

+1 CC to M/s. G. KARUPPASAMY PANDIAN, Advocate (SR-12890[F] dated 23/03/2020)

Crl.O.P. (MD) No.4787 of 2020
23.03.2020

pnn

SDS (30.06.2020) 3P-4C