



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.5210 of 2020

and

Crl.M.P. (MD) No.3014 of 2020

WEB COPY

- 1.Ganesan
- 2.Dhanasekaramoorthy
- 3.Sevugaperumal
- 4.Dinesh
- 5.Perumal
- 6.Rajendraperumal
- 7.Anadharaj
- 8.Suresh
- 9.Maheshperumal
- 10.Muthuraj
- 11.Sudhakar
- 12.Balamurugan
- 13.Perumalraj
- 14.Mookkaiya
- 15.Nagaraj
- 16.Ayyanar
- 17.Marisamy
- 18.Rajendran
- 19.Subburaj
- 20.Ettappan

... Petitioners

Vs

- 1.The State represented by
The Inspector of Police,
Keelaparalachi Police Station,
Virudhunagar District.

- 2.Jesu

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.2 of 2020 on the file of the Inspector of Police, Keelaparalachi Police Station, Virudhunagar District and quash the same.

For Petitioners	:	Mr.K.Dhanaraj
For R1	:	Ms.S.E.Veronica Vincent Government Advocate

ORDER

Heard the learned counsel on either side.



2.The petitioners are figuring as accused in Crime No.2 of 2020 registered on the file of the first respondent for the offences under Sections 147, 148, 353 and 506(2) of IPC.

3.The case of the prosecution is that on 03.01.2020 at about 6.30 p.m., the petitioners were returning from Madurai to their native place after attending the event concerning Veerapandiya Kattapomman. While so, the villagers from the neighbouring village of Keelaparalachi attempted to aggressively storm the petitioner's village. The petitioners also assembled and were proceeding towards them in a defiant manner ignoring the warning of the police. That led to registration of the impugned FIR. In fact, the police had to fire in the air twice. It is not in dispute that the petitioners had spent about 16 days in custody. In the mean while, the revenue authorities had convened the peace committee meetings and resolved the issue between the two villages. Now, peace prevails.

4.I am of the view that keeping the prosecution is not going to serve any purpose. Primarily, the petitioners had not indulged in any act of violence. All that they had done was to assemble and proceed in a defiant manner towards the other group. It appears that it was the other group which was the aggressor and not the petitioners' group. Be that as it may, the petitioner's counsel is agreeable for this Court giving a quietus to the issue by directing the first respondent to file "action drop" final report. Therefore, the first respondent is directed to file final report dropping further action in the matter. I make it clear that I have not quashed the FIR. I am passing this direction to terminate the prosecution because the petitioners have already more than suffered for their alleged crime.

5.This Criminal Original Petition stands disposed of with this direction. The jurisdictional Magistrate is directed to accept the final report. Consequently, connected miscellaneous petition is closed.

Sd/-

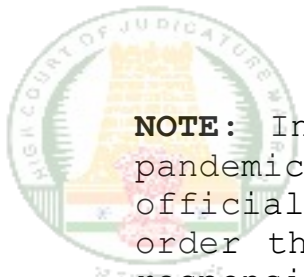
Assistant Registrar (CO)

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Sub Assistant Registrar (CS)

Rmi



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

- 1.The Chief Judicial Magistrate
Virudhunagar at Srivilliputtur.
- 2.The Inspector of Police,
Keelaparalachi Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.K. DHANARAJ, Advocate (SR-20313[F] dated
16/10/2020)

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