



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.18407 of 2021

and

Crl.M.P. (MD)No.10129 of 2021

Maruthi

... Petitioner/Accused No.4

Vs

1.The State rep. by
Inspector of Police
Samayanallur Police Station,
Madurai District.

... 1st Respondent/Complainant

2.Sundaramahalingham

... 2nd Respondent/Defacto complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the entire relevant records connected to the FIR in Crime No.522 of 2017 dated 07.11.2017 pending on the file of the first respondent police and quash the same as illegal as against the petitioner.

For Petitioner

: Mr.R.Senthilkumar

For R1

: Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.522 of 2017 registered on the file of the first respondent for the offences under Sections 143 and 188 of IPC. The petitioner is figuring as 4th accused in the said case.

2.The case of the prosecution is that on 30.10.2017, the petitioner along with the other accused in defiance of the prohibitory orders had indulged in provocative slogan shouting. It is not the case of the prosecution that any adverse consequence ensued as a result of the petitioner's conduct. In any event, at the instance of the second respondent, FIR could not have been registered. The case on hand is squarely covered by the decision of this Court reported in 2018 2 Law Weekly Crl. 606 (Jeevanandham and others Vs. State).



3. Respectfully following the said decision, the impugned FIR is quashed. The benefit of this order will enure in favour of the non petitioning accused also. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

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.

To

1. The Inspector of Police
Samayanallur Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P(MD)No.18407 of 2021
25.11.2021

RS (08.12.2021) 2P 3C