



WEB COPY

Crl.O.P.(MD)No.18582 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P (MD)No.18582 of 2021

and

Crl.M.P. (MD)No.10263 of 2021

Govintharaj

... Petitioner /  
7<sup>th</sup> Accused

Vs

1.The State rep. by the  
Inspector of Police,  
SIPCOT Police Station,  
Sivagangai District.

... 1<sup>st</sup> Respondent /  
Complainant

2.Selvakumar  
Village Administrative Officer,  
K.K.Pallam Group,  
Manamadurai Taluk,  
Sivagangai-630606

... 2<sup>nd</sup> Respondent /  
Defacto Complainant

**PRAYER:** Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No.244/2020 dated 06.10.2020 on the file of the first respondent police and quash the same against the petitioner.

For Petitioner : Mr.N.Karthik Kanna

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

### **ORDER**

Heard the learned counsel for the petitioner.

2. The petitioner is figuring as the seventh accused in Crime No.244 of 2020 registered on the file of the first respondent for the offences under Sections 143, 269 and 270 of IPC.

3. The case of the prosecution is that on 06.10.2020, the petitioner along with the other accused in defiance of the prohibitory orders had illegally gathered during the lock down period. While I do not fault the first respondent for having registered the FIR, the question that arises is whether it should be allowed to stand. The Government of Tamil Nadu has taken a policy decision for dropping all the prosecutions that were lodged



for breach of lock down restrictions. It is not the case of the respondents that any adverse consequence ensued as a result of the act committed by the petitioner. The petitioner's counsel states that the accused had gathered together for voicing their demand for deleting their community from the SC list. The petitioner did not indulge in any violent act.

4. I am therefore of the view that the continuation of the impugned prosecution is not warranted. FIR stands 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.

Sd/-

Assistant Registrar (AE)

// 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,  
SIPCOT Police Station,  
Sivagangai District.

2.The Village Administrative Officer,  
K.K.Pallam Group,  
Manamadurai Taluk,  
Sivagangai-630606.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.  
+1 CC to M/s.N. KARTHIKKANNA, Advocate (SR-36010[F] dated  
26/11/2021)

Crl.O.P (MD)No.18582 of 2021  
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SMV (CO)

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