



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.01.2022
CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD)No. 667 of 2022 and

CRL.M.P. (MD)No.481 of 2022

1. M.Alagar
2. L.Raja @ Raja Mohamed
3. V.Murugan
4. S.Dineshkumar
5. M.Malaisamy
6. A.Thirumurugan
7. K.Kumaraiah
8. A.Pandiyarajan
9. M.Ammasi
10.A.Jeevanantham
11.G.Kottaisamy

... Petitioners /Accused Nos.1 to 11
Vs.

1. State rep. By,
The Sub Inspector of Police,
Sikkal police station,
Ramanathapuram District.
(Crime No.166 of 2021)

... Respondent No.1 / Complainant

2. Jeyakumar,
Village Administrative Officer,
Adhankothankudi, Pooseri Post,
Muthukulathur Taluk,
Ramanathapuram District.

... Respondent No.2/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information Report in Crime No.166 of 2021 dated 05.12.2021 on the file of the respondent No.1 for the alleged offences under Sections 143 and 341 of the Indian Penal Code and quash the same as illegal.

For Petitioners : Mr.T.Thirumurugan
For R-1 : Mr.B.Thanga Aravindh,
Government Advocate(Crl. Side).

O R D E R

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

2. This criminal original petition has been filed to quash the impugned First Information Report registered on the file of the first respondent for the offences under Sections 143 and 341 of I.P.C.



3. It is seen that one Pushpam had died due to collapse of her house. In this regard, the petitioners conducted demonstrations and demanded payment of compensation. For this, the impugned First Information Report came to be registered.

4. The learned counsel appearing for the petitioners drew my attention to the order made in Jeevanandham and Ors. V. State and Ors. reported in 2018-2-LW(Crl) 606.

5. The case on hand is squarely covered by the aforesaid decision. The petitioners were after all voicing a legitimate demand. They do not deserve to be prosecuted for having done so. The very registration of the impugned First Information Report is an abuse of process of law.

6. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Sub Inspector of Police,
Sikkal police station, Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-1777[F] dated 19/01/2022)

Crl.O.P. (MD) No.667 of 2022
12.01.2022

DKS (CO)
KB(28.01.2022) 2P 4C