



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.343 of 2022

and

Crl.M.P. (MD)No.255 of 2022

1.Ganesan @ Valli Ganesan

2.Manickam @ Manickaraj

... Petitioners/Accused No.14&15

Vs.

1.State through

The Inspector of Police,
Sivanthipati Police Station,
Tirunelveli District.

(Crime No.245 of 2021)

...Respondent/Complainant

2.Sudalaikannu,

Inspector of Police,
Sivanthipati Police Station,
Tirunelveli District.

...2nd Respondent/
Defacto Complainant

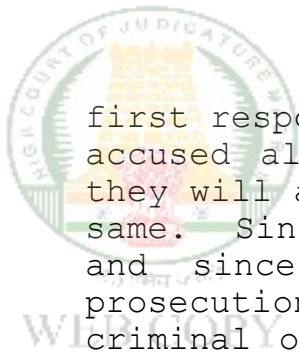
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the proceedings of the FIR in Crime No.245 of 2021 dated 30.10.2021 on the file of the 1st respondent insofar as the petitioners are concerned.

For Petitioners : Mr.K.Jeyamohan
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioners are figuring as accused in Crime No.245 of 2021 registered on the file of Sivanthipati police station for the offences under Sections 143, 341 and 353 of IPC. According to the prosecution, on 30.10.2021, the occurrence in question had taken place. A reading of the FIR indicates that since the police did not permit the drummers to participate, the accused had resorted to road blockade. This Court has to take note of the fact that the occurrence had taken place on Thevar Jayanthi. Be that as it may, the petitioner along with other eight other accused had gone to the



first respondent and had offered their unconditional apologies. The accused also give a undertaking before this Court that in future they will adhere to police directives and not act in defiance of the same. Since the petitioners did not indulge in any act of violence and since no adverse consequence ensued, continuance of the prosecution is not warranted. The impugned FIR is quashed and the criminal original petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Sivanthipati Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-3557[F] dated 02/02/2022)

Crl.O.P(MD)No.343 of 2022
01.02.2022

KMV(CO)
KB(18.02.2022) 2P 4C