



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2451 of 2022
and
Cr.M.P(MD)No.1806 of 2022

Senthilvel

... Petitioner/
Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.
(Crime No.300 of 2021)

... Respondent/
Complainant

2.Karthikeyan,
Sub Inspector of Police,
Kalakadu Police Station,
Tirunelveli District.

... Respondent/
De-facto Complainant

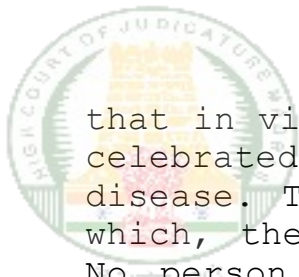
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.300 of 2021 on the file of the first respondent and quash the same as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.K.Navaneetharaja
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side) for R.1

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2. The petitioner is figuring as accused in Crime No.300 of 2021 on the file of Kalakad Police Station, for the offences under Sections 143, 269, 270 and 283 IPC. The case of the prosecution is



that in violation of lock down restrictions, a temple festival was celebrated. The accused were not suffering from any infectious disease. They did not contribute to its spread. The object, for which, the accused had assembled, cannot be said to be unlawful. No person was endangered as a result of the activities of the accused. Therefore, the essential ingredients of the offences, for which, the FIR was registered are not made out. The impugned FIR is quashed. This 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/-

Deputy Registrar (ACCOUNTS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Mga

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

Crl.O.P(MD)No.2451 of 2022
and
Cr.M.P(MD)No.1806 of 2022

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USK/23.02.2022/2P/3C