



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2022

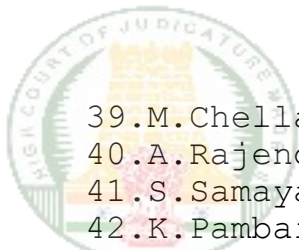
CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.1252 of 2022
and
Crl.M.P. (MD) No.916 of 2022

- 1.R.Subburaj
- 2.M.Velukalai
- 3.V.Rajendran
- 4.V.Chandran
- 5.R.Vadivu
- 6.A.Thangam
- 7.M.Ayyanar
- 8.P.Palanikumar
- 9.C.Balamurugan
- 10.T.Selvam
- 11.P.Sentrayan
- 12.S.Ashok
- 13.V.Muthumuniyandi
- 14.P.Thomaspandi
- 15.S.Marimuthu
- 16.S.Velmurugan
- 17.S.Deivendran
- 18.A.Ammavasai
- 19.S.Samayanan
- 20.Sentrayan
- 21.S.Sangiliammal
- 22.A.Rajeshwari
- 23.S.Booma
- 24.S.Manivannan
- 25.P.Umamaheshwari
- 26.S.Nagendran
- 27.M.Sushila
- 28.T.Jothi
- 29.V.Thanadurai
- 30.S.Samuvel
- 32.S.Muthu
- 32.G.Chellasamy
- 33.M.Mahalaxmi
- 34.V.Muthukalai
- 35.M.Baskaran
- 36.S.Nagalakshmi
- 37.K.Subburaj
- 38.A.Parthiban



39.M.Chelladurai
40.A.Rajendran
41.S.Samayanan
42.K.Pambaiyan
43.S.Pandi
44.L.Palpandi
45.C.Murugan
46.K.Murugan
47.K.Seenivasagan
48.K.Ayyanar

... Petitioners/Accused 1 to 48
Vs.

1.State rep. by
The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.119 of 2021) ... 1st Respondent/Complainant

2.P.Selvakumar,
Village Administrative Officer,
Thekkampatty,
I/C Gandamanur,
Andipatti Taluk,
Theni District. ...2nd Respondent/Defacto Complainant

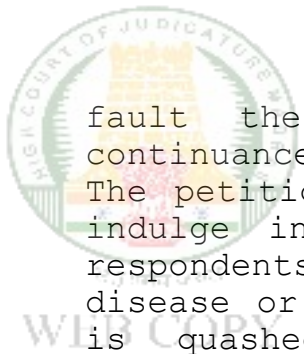
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in Crime No.119 of 2021 on the file of the 1st respondent police and quash the same insofar as petitioners are concerned.

For Petitioners : Mr.C.Jeganathan
For Respondents : Mr.B.Thanga Aravindh,
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 shown as accused in Crime No.119 of 2021 registered on the file of Gandamanur Police Station for the offences under Sections 143, 341, 353 and 269 of IPC, Section 3 of Epidemic Diseases Act, 1897 and Section 179 of Motor Vehicles Act, 1968. The petitioners are eking out their livelihood by plying private autos. They had staged a demonstration and road blockade on 09.06.2021. They were protesting against the move of local body for shifting their auto-stand. The petitioners had resorted to such a step in order to protect their livelihood. It is true that the demonstration was held without obtaining any prior permission. While I may not



fault the first respondent for having registered the FIR, continuance of the impugned prosecution is absolutely unwarranted. The petitioners had staged only a peaceful protest. They did not indulge in any act of violence. It is not the case of the respondents that the petitioners were suffering from any infectious disease or contributed to its spread. Therefore, the impugned FIR is quashed and the criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// 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,
Gandamanur Police Station,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P(MD)No.1252 of 2022
25.01.2022

NSN(CO)
GC(10.02.2022) 3P 3C