



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P(MD)No.1152 of 2022

and

CrI.M.P. (MD)Nos.834 and 836 of 2022

- 1.Jeyam A.Pandian
- 2.S.V.Senthil Kumar
- 3.K.Muniyasamy
- 4.R.Balamurugan
- 5.Sathrapathi K.Murugan
- 6.M.Ganesan
- 7.V.M.Ravikumar
- 8.B.Arul Raja
- 9.P.Manivannan
- 10.C.Senthil Kumar
- 11.G.Madhan
- 12.M.Yogeshwaran

... Petitioners

Vs.

- 1.The State represented by
The Inspector of Police,
C-4, Thilagar Thidal Police Station,
Madurai Town.

...1st Respondent/Complainant

- 2.K.Rajapandian,
Inspector of Police,
C-4, Thilagar Thidal Police Station,
Madurai Town.

...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 impugned final report dated 31.08.2015 in STC No.166 of 2015 on the file of the Judicial Magistrate No.2, Madurai concerned in Crime No.635 of 2015 on the file of the Inspector of Police, C-4, Thilagar Thidal Police Station, Madurai City, quash the same against the petitioners.

For Petitioners : Mr.V.Janakiramulu

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (CrI. 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 facing trial in S.T.C.No.166 of 2015 on the file of the Judicial Magistrate No.II, Madurai. The learned counsel for the petitioners draws my attention to the order dated 20.10.2021 made in Crl.O.P.(MD)No.15013 of 2021. One of the accused filed the said quash petition and the same was also allowed.

3.The petitioners herein are members of a political party. They had assembled in a public place to voice their protest condemning another political leader. Though, as the prosecution contends, the petitioners had not obtained prior permission and technically they had committed breach of law, in a democratic society sufficient margin must be allowed for such acts. The petitioners did not indulge in any act of violence and no adverse consequence ensued. Therefore, continuance of the impugned prosecution is not really warranted. The impugned proceedings are quashed and the criminal original petition is allowed. The benefit of this order will enure in favour of the non-petitioning accuse also, if any. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

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/ /2022

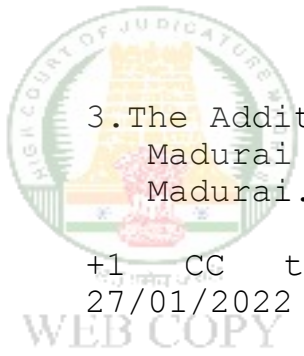
Sub Assistant Registrar(CS)

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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 Judicial Magistrate No.II,
Madurai.
- 2.The Inspector of Police,
C-4, Thilagar Thidal Police Station,
Madurai Town.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.JANAKIRAMULU, Advocate (SR-2546[F] dated
27/01/2022)

CrI.O.P (MD) No.1152 of 2022
24.01.2022

RK (09/02/2022) 3P 5C