



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.907 of 2022

and

Crl.M.P.(MD)No.650 of 2022

Kavikumar

... Petitioner/Accused No.5

vs.

State through by

1.The Inspector of Police,
Thallakulam Police Station,
In Crime No.316/2019,
Madurai City.

... 1st Respondent/Complainant

2.Muthuvijayakumar

... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to FIR in Crime No.316 of 2019 on the file of the first respondent and quash the same as against the petitioner/A5 is concerned.

For Petitioner	: Mr.M.Karalmarx
For R1	: Mr.M.Sakthi Kumar Government Advocate (Crl.)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for R1.

2. This Criminal Original Petition has been filed to quash the FIR in Crime No.316 of 2019 registered on the file of the Thallakulam Police Station for the offences under Sections 143, 341 and 353 of IPC.

3. The case of the prosecution is that on 20.02.2019 at about 06.00 am., near Thevar statute, the accused assembled and raised slogans. They also raised certain demands. The prosecution would allege that without getting any prior permission, the accused assembled at a very sensitive spot in the madurai city. No doubt, the stand of the prosecution is justified. But then, I must note that no adverse consequence ensued. The accused did not indulge in any act of violence. They were after all raising certain demands which according to them is legitimate and justified.



4. Taking note of the overall conduct of the petitioners, I am of the view that the continuation of the impugned prosecution is not warranted. 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/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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,
Thallakulam Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.907 of 2022

20.01.2022

MGJ(04.02.2022) 2P 3C