



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2202 of 2022

and

Crl MP(MD)Nos.1616 & 1618 of 2022

Kathiravan

... Petitioner/Accused No.1

Vs.

1.The State represented by

The Inspector of Police,

C4-Thilagar Thidal Police Station (Law & Order),

Madurai City.

(Crime No.177 of 2019)

... 1st Respondent/Complainant

2.C.Narayanan,

The Sub-Inspector of Police,

C4-Thilagar Thidal Police Station (Law & Order),

Madurai City.

... 2nd Respondent/

Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C to call for the records pertaining to the impugned Charge Sheet in S.T.C No.1850 of 2020 pending on the file of the learned Judicial Magistrate No.II, Madurai and quash the same as illegal insofar as the Petitioner/Accused No.1 is concerned.

For Petitioner

: Mr.S.Sades Kumar

For Respondent 1

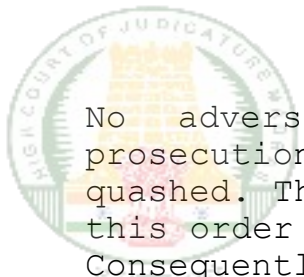
: Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)

ORDER

Heard the learned counsel on either side.

2.The petitioner is figuring as an accused in Crime No.177 of 2019 which was culminated in S.T.C.No.1850 of 2020 on the file of Judicial Magistrate No.II, Madurai. The case of the prosecution is that the accused assembled on 15.03.2019 at about 10.00 a.m and raised slogans demanding that Madurai Airport should be named after the late Thiru.Pasumpon Muthuramalinga Thevar. The petitioner is a former Member of Legislative Assembly belonging to Forward Bloc Pary. Therefore, voicing of the said demand is very well justifiable. In fact, this demand was raised by a few other political organizations also. Hence, the said assembly could not be called as an "unlawful assembly". No act of violence was committed.



No adverse consequence ensued. Continuance of the impugned prosecution is not warranted. The impugned proceedings stand 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 petitions are closed.

Sd/-

Assistant Registrar (AS)

// 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 Judicial Magistrate No.II, Madurai.

2.The Inspector of Police,
C4 -Thilagar Thidal Police Station (Law & Order),
Madurai City.

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

Crl.O.P(MD)No.2202 of 2022
and

Crl.M.P(MD)Nos.1616 & 1618 of 2022
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