



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.1053 of 2022

and

Crl.M.P.(MD)No.775 of 2022

WEB COPY

1.Sivakumar

2.Uma Kanth

3.Ramar

4.Samuthirapandiyan

5.Saravanan

6.Rajasekaran

7.Sivakumar

8.Surendiran ... Petitioners / Accused Nos.1 to 8

vs.

1.The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.
In Crime No.207 of 2021 ...1st Respondent/Complainant

2.M.Jeyapaul,
Village Administrative Officer,
Sivakasi Village,
Sivakasi Taluk,
Virudhunagar District. ...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pursuant to the FIR in Crime No.207 of 2021 on the file of the first respondent police dated 12.05.2021 and quash the same against the petitioners.

For Petitioners : Mr.M.Anantha Murugan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.)



O R D E R

This Criminal Original Petition has been filed to quash the impugned FIR registered for the offences under Sections 269 and 286 of IPC.

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2. The case of the prosecution is that in violation of the lockdown restrictions, the accused had assembled and also had bursted crackers.

3. It is seen that the local temple festival was being celebrated. It is quite understandable that on such an occasion, crackers will be burst. It is also true that the lockdown restriction had been breached. But then, on account of the conduct of the accused, no adverse consequence ensued. Therefore, the continuation of the impugned prosecution is not warranted.

4. In this view of the matter, the impugned FIR is quashed. This Criminal Original Petition is allowed. 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,
Sivakasi Town Police Station,
Sivakasi,
Virudhunagar District.
- 2.The Village Administrative Officer,
Sivakasi Village,
Sivakasi Taluk,
Virudhunagar District.



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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-2230[F] dated
24/01/2022)

CrI.O.P. (MD) No.1053 of 2022
21.01.2022

RK(15/02/2022) 3P 5C