



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1915 of 2022

Shanmugaraja

... Petitioner/4th Accused

Vs.

1.The State Rep. by
The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.

2.Muruganantham,
Sub-Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
Crime No.307 of 2020

... Respondents/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in Crime No.307 of 2020, dated 01.12.2020 on the file of the first respondent i.e., the Inspector of Police, Sayalkudi Police Station, Ramanathapuram District and quash the same/A4 and all further proceedings.

For Petitioner
For R1

: Mr.B.Mahendrarajan
: Mr.B,Thanga Aravindh
Govt. Advocate (Crl. Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the first respondent.

2.The case of the prosecution is that on 30.11.2020 at around 03.00 p.m, the accused assembled in public and conducted a demonstration in violation of the lock down restrictions. That led to registration of Crime No.307 of 2020 for the offences under Sections 143, 341, 290 and 269 of IPC.

3.The accused are members of a political party and they had taken up a public cause. In a democratic society, expression of such a right cannot be faulted. The accused did not suffer from any infectious disease. They did not contribute to its spread. They did not indulge in any act of violence. No adverse consequence



ensued. Therefore, the impugned FIR stands quashed. This Criminal Original Petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (AE)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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,
Chatrakudi Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.1915 of 2022
02.02.2022

MGJ(17.02.2022) 2P 3C