



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1745 of 2022

Nagendran

... Petitioner/8th Accused

Vs.

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

2.Amutha,
The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
(Crime No.305/2020)

... 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.305 of 2020 dated 01.12.2020 on the file of the 1st respondent ie., the Inspector of Police, Chatrakudi Police Station, Ramanathapuram District and quash the same as against the petitioner is concerned.

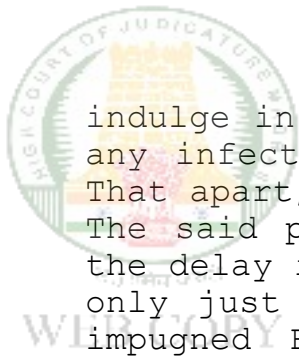
For Petitioner : Mr.M.Sivasankar
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.This criminal original petition has been filed to quash the impugned FIR in Crime No.305 of 2020 registered for the offences under Sections 143, 341, 290 and 269 of IPC.

3.The case of the prosecution is that the accused had assembled in violation of the lockdown restrictions and committed the offences in question. A reading of the FIR would indicate that the accused who were members of a political party had taken up a political issue. This is after all an expression of their democratic right to protest. No adverse consequence ensued. The accused did not



indulge in any act of violence. The accused were not suffering from any infectious disease and they did not contribute to its spread. That apart, the final report should have been filed within one year. The said period had expired and no explanation is forthcoming for the delay in filing the final report. In these circumstances, it is only just and proper to terminate the impugned prosecution. The impugned FIR is quashed and the criminal original petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ias

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.1745 of 2022
01.02.2022

MGJ(15.02.2022) 2P 3C