



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.2302 of 2022

and

Crl.M.P. (MD) .Nos.1685 and 1686 of 2022

- 1.Sankarapanidan
- 2.Kaveri
- 3.Rajesh Murugan @ Rajesh
- 4.Chokkalingakumar
- 5.Udayakumar
- 6.Balaji
- 7.Sheik Bakkir Mydeen
- 8.Dhanasingh Pandian
- 9.Mani
- 10.Ayyappan
- 11.Mayilrayan

...Petitioners/ Accused No.1 to 11

Vs.

The State represented by
The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.
(Crime No.288 of 2018)

...Respondent/ Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.564 of 2019, on the file of Learned Judicial Magistrate NO.IV, Tirunelveli and quash the same.

For Petitioners : Mr.G.Thalaimutharasu
For Respondent : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side)

ORDER

Heard the learned counsel for the petitioners and the learned Government Advocate for the respondents.

2. The petitioners are facing trial in C.C.No.564 of 2019 on the file of Learned Judicial Magistrate No.IV, Tirunelveli. The case of the prosecution is that 30.10.2018 at 11.30 a.m., the accused had assembled in public without getting prior permission. According to the police, the petitioners engaged a band troupe. When the police



objected, the petitioners are said to be abused the police and also prevented them from discharging their duties.

3. It is seen that the occasion was Thevar Jeyanthi. The petitioners are members of a political party. Therefore, garlanding the statue of Pasumpon Muthuramalinga Thevar on the said date is an usual event. There is also nothing objectionable about organizing a band troupe. It is, after all, a celebratory occasion. In any event, the accused did not indulge in any act of violence. No adverse consequence ensued. Some minor friction between the accused and the police has culminated into the impugned proceedings. It deserves to be quashed. The proceedings are quashed. The Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petitions are closed. The benefit of the order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar

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.IV, Tirunelveli.

2. The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-4296[F] dated 04/02/2022)

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SN

MS/15.02.2022/2P.5C