



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

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WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P(MD)No.2156 of 2022  
and  
Cr.M.P(MD)Nos.1524 & 1596 of 2022

K.Gururaj ... Petitioner/Accused No.8

Vs.

1.State represented by  
The Sub Inspector of Police,  
Srivilliputhur Town Police Station,  
Virudhunagar District.  
(Crime No.567 of 2017) ... 1<sup>st</sup> Respondent/Complainant

2.S.Navaneethakrishnan ... 2<sup>nd</sup> Respondent/Defacto Complainant

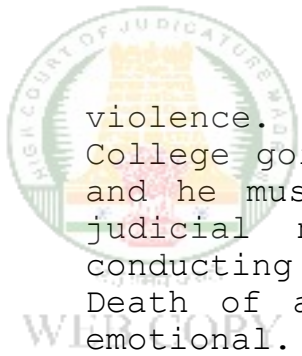
**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records vide FIR in Crime No.567 of 2017 pending on the file of the Srivilliputhur Town Police Station, Virudhunagar District, under Sections 143, 188, 353, 295 and 297 IPC and to quash the same.

For Petitioner : Mr.G.M.Xavier  
For Respondents : Mr.M.Sakthi Kumar  
Government Advocate (Crl.Side) for R1

**ORDER**

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

2.The petitioner is figuring as eighth accused in Crime No.567 of 2017 registered on the file of Srivilliputhur Town Police Station, Virudhunagar District. The case of the prosecution is that on 08.09.2017 at about 09.20 a.m, the accused assembled in front of the Srivilliputhur Aandal Temple and raised slogans demanding withdrawal of the NEET examination system. Some of the accused are even said to have climbed on top of the temple tower. The accused are said to have defied the directives issued by the Police who were on guard. That led to registration of the impugned FIR for the offences under Sections 143, 188, 353, 295 and 297 IPC. It is not the case of the prosecution that the accused indulged in any act of



violence. After all, during the relevant time, the accused were College going students. The petitioner is now aged about 24 years and he must have been around 18 or 19 years then. One can take judicial notice of the fact that during the relevant time, conducting of NEET examination caused considerable public unrest. Death of a student by name, Anitha, made the whole issue highly emotional. Therefore, the conduct of the petitioner can very well be understood. Admittedly, they did not indulge in any act of violence. It is seen that the FIR was registered wayback on 08.09.2017. No explanation is also forthcoming for the non-filing of the final report. In these circumstances, continuance of the prosecution is clearly not warranted. Therefore, the impugned FIR is 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 (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

**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 Sub Inspector of Police,  
Srivilliputhur Town Police Station,  
Virudhunagar District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Crl.O.P(MD)No.2156 of 2022**

**and**

**Crl.M.P(MD)Nos.1524 & 1596 of 2022**

**01.02.2022**

RS (02.02.2022) 2P-3C