



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) Nos.2235 & 2237 of 2022

and

Crl.M.P (MD) Nos.1639 & 1641 of 2022

Crl.O.P (MD) No.2235 of 2022:

- 1.Vijayakumar
- 2.S.Kalaivanan
- 3.R.Vivek

... Petitioners/
Accused rank not known

Vs.

1. The State represented by
The Sub-Inspector of Police,
S.V.Karai Police Station,
S.V.Karai,
Tirunelveli District.
Now Tenkasi District.
(Crime No.18 of 2015)

... 1st Respondent/
Complainant

2. Murugan,
The Special Sub-Inspector of Police,
S.V.Karai Police Station,
S.V.Karai,
Tirunelveli District.
Now Tenkasi District.

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records of the case in Crime No.18 of 2015 on the file of the first respondent police and quash the same insofar as the petitioner is concerned.

For Petitioners : Mr.A.Saravanan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side) for R.1

Crl.O.P (MD) No.2237 of 2022:

- 1.Vijayakumar

... 1st Petitioner/
Accused No.2



... 2nd Petitioner/
Accused rank not known

Vs.

1. The State represented by,
The Sub-Inspector of Police,
S.V.Karai Police Station,
S.V.Karai,
Tirunelveli District.
Now Tenkasi District.
(Crime No.19 of 2015)

... 1st Respondent/
Complainant

2. Dharmaraj,
The Special Sub-Inspector of Police,
S.V.Karai Police Station,
S.V.Karai,
Tirunelveli District.
Now Tenkasi District.

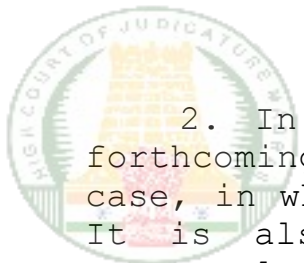
... 2nd Respondent/
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Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records of the case in Crime No.19 of 2015 on the file of the first respondent police and quash the same insofar as the petitioner is concerned.

For Petitioners	: Mr.A.Saravanan
For Respondents	: Mr.B.Thanga Aravindh Government Advocate (Crl.Side) for R.1

COMMON ORDER

The petitioners herein figured as accused in Crime Nos.18 and 19 of 2015 registered on the file of S.V.Karai Police Station. The villagers had been permitted to hold the Pongal festival events on 15.01.2015 and 16.01.2015. The villagers agreed to conclude the events by 06.00 p.m. It appears that they did not adhere to the timings. When the local Police intervened, they appear to have abused the police. That led to registration of Crime No.18 of 2015. Later, since action was taken, the villagers had resorted to a kind of agitation. That led to registration of Crime No.19 of 2015. It is true that a number of offences had been set out in both the FIRs. As rightly pointed out by the learned counsel appearing for the petitioners, the limitation for filing the final report in both the cases expired long ago. Even after the expiry of the limitation period, the final report can be filed and cognizance can be taken, provided explanation is furnished explaining the delay.



2. In this case, I find that absolutely no explanation is forthcoming from the first respondent. Therefore, this is the case, in which, the power under Section 482 Cr.P.C can be invoked. It is also seen that there are no injuries to any Police personnel. The villagers appear to have conducted themselves in such manner for obvious reasons. Since no adverse consequence ensued, it is just in proper to terminate the prosecution. Both the FIRs are quashed. Both the Criminal Original Petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
S.V.Karai Police Station,
S.V.Karai, Tirunelveli District.
Now Tenkasi District.
2. The Special Sub-Inspector of Police,
S.V.Karai Police Station,
S.V.Karai, Tirunelveli District.
Now Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)Nos.2235 & 2237 of 2022
and
Crl.M.P(MD)Nos.1639 & 1641 of 2022

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