



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.2356 of 2022

and

Crl.M.P.(MD)No.1724 of 2022

Muthukrishnan

...Petitioner/
1st Accused

Vs.

1.State represented by
The Inspector of police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.323 of 2021)

...Respondent/
Complainant

2.Jaganathan
Sub-Inspector,
Thiruvattar Police Station,
Kanyakumari District.

...Respondent/
Defacto Complainant

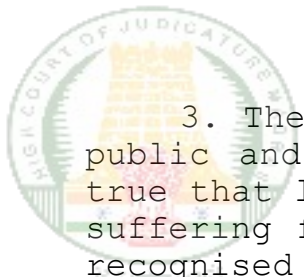
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in connection with Crime No.323 of 2021 on the file of the first respondent police and quash the FIR in so far as the petitioner is concerned.

For Petitioner : Mr.R.Paranjothi
For Respondents : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

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

2. The petitioner is shown as an accused in Crime No.323 of 2021 registered on the file of Thiruvattar Police Station for the offences under Section 143, 341 and 269 IPC and Section 3 of Epidemic Diseases Act, 1897.



3. The case of the prosecution is that the accused assembled in public and blocked the free flow of traffic on 19.06.2021. It is true that lock down restrictions were violated. The accused were not suffering from any infectious disease. The accused are members of a recognised political organization. They raised a legitimate public issue. No adverse consequence ensued. The accused did not indulge in any act of violence. Therefore, the continuation of the impugned prosecution is not warranted. The impugned FIR is quashed. The Criminal Original Petition is allowed. Consequently, the connected Miscellaneous petition is closed. The benefit of the order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (P&A)

// 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 Inspector of police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.323 of 2021)
- 2.The Sub-Inspector,
Thiruvattar Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2356 of 2022

04.02.2022

MGJ(01.03.2022) 2P 4C