



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.2444 of 2022
and
Crl.M.P.(MD)No.1803 of 2022

Rajeshkumar

...Petitioner/
Accused No.1

Vs.

1.State Rep. by
The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.113 of 2021)

...1st Respondent/
Complainant

2.P.Ganeshkumar

...2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., calling the records pertaining to Crime No.113 of 2021 on the file of first respondent police, and quash the same as against this petitioner.

For Petitioner : Mr.K.Seenuramachandran

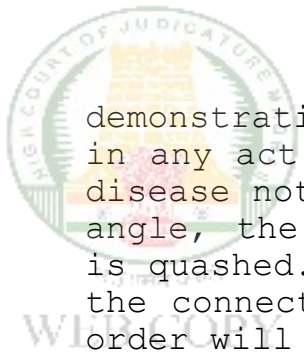
For R1 : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the first respondent.

2. The petitioner is figuring as an accused in Crime No.113 of 2021 registered on the file of the first respondent for the offences under Section 143, 341, 269 IPC, Section 3 of Epidemic Diseases Act, 1897 and Section 134(1)(b) of the Tamil Nadu Public Health Act, 1939.

3. The case of the prosecution is that the accused conducted a demonstration in violation of the lock down restrictions and also blocked the general flow of traffic. The accused being a member of a recognized political party are entitled to conduct such



demonstrations. No adverse consequence ensued. They did not indulge in any act of violence. They were not suffering from any infectious disease not contributed to its spread. Therefore, looked at from any angle, 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 benefits of the order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (CRL)

// 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,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.113 of 2021)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2444 of 2022

04.02.2022

MGJ(17.02.2022) 2P 3C