



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.10097 of 2022

and

Crl.MP.(MD).No.6320 of 2022

WEB COPY

1. Sathishkumar
2. Alakuvel
3. Ramachandran
4. Esakkimuthu
5. Malaiyan
6. Sokkuraj
7. Muthupandi
8. Subramaniyan
9. Muthuraj
10. Ponraj
11. Chandran
12. Subramanian
13. Chelladurai
14. Pechimuthu
15. Muthaiya

...Accused No.2,8,10,11,12,13,14,15,22,23,24,
25,26,29,30

Vs.

1. The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.

...Respondent No.1/Complainant

2. M.Muthuselvan ...Respondent No.2/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in Crime No.5 of 2022 dated 26.01.2022 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.V.Rajiv Rufus

For R-1 : Mr.M.Sakthi Kumar
Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed to quash the Crime No.5 of 2022 dated 26.01.2022 on the file of the first respondent.



2. The learned counsel for the petitioners submitted that the petitioners along with other persons were arrested for conducting a road roko by stopping the Government bus in their Village, on 26.01.2022. Therefore, the respondent Police registered a case against the petitioners and 13 others in Crime No.5 of 2022 for offences under Section 143, 283, 269 of IPC along with Section 4A(1a) of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. The people have agitated for the welfare of the public and they have not involved in any criminal activities. The remaining 13 persons have approached this Court for quashing the F.I.R in Crl.O.P.(MD).No.3403 of 2022 which was allowed on 17.02.2022. Thus the petitioner's counsel needs to quash the F.I.R as against these petitioners also.

3. The learned counsel for the Government submitted that the agitation was happened during the lock down period and the petitioners along with 13 people prevented the Government bus from running in the road. Hence the case has been registered and the F.I.R. against 13 persons were quashed by this Court.

4. I have considered the matter in the light of the submission made by the learned counsel for both the parties. Admittedly, the petitioner along with 13 persons involved in the agitation and prevented the running of Government bus in their Village on 26.01.2022. Hence the case has been registered in Crime No.5 of 2022 under under Section 143, 283, 269 of IPC along with Section 4A(1a) of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. Further, it is not disputed that the case as against 13 persons were quashed on 17.02.2022 by this Court. Under these circumstances, the continuation of the case against these persons is not warranted. Hence the case against these petitioners is also quashed.

5. With the above observations, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Nsr



To

1. The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.

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

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-24834[F] dated
09/06/2022)

Crl.O.P.(MD) No.10097 of 2022
09.06.2022

MGJ(23.06.2022) 3P 4C