



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

WEB COPY

CRL OP(MD). No.8930 of 2022

Arun @ Arunkumar

... Petitioner/Accused No.18

Vs

1. The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai.
(Crime No.1599 of 2020)

... 1st Respondent/Complainant

2. Subramani

... 2nd Respondent/Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records relating to the FIR in Crime No.1599 of 2020 on the file of 1st Respondent Police Samayanallur Police Station, Madurai District and Quash the same in so far as Petitioner concern.

For petitioner : Mr.B.VINOTHKUMAR

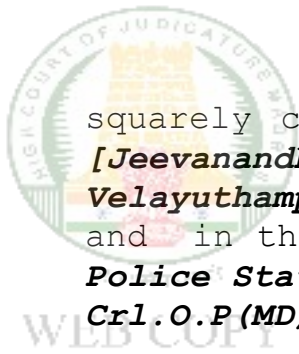
For R1 : Mr.S.RAVI,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No. 1599 of 2020 dated 08.09.2020, on the file of the first respondent police.

2. The case of the prosecution is that during pandemic period, the Government restricted the movement of public and imposed 144 proceedings in all the Districts. While so, on 08.09.2020, it is alleged that the petitioner and others unlawfully assembled in-front of Samayanallur Government School and made protest against NEET Examination and therefore, the Law Enforcing Authority registered a case in Crime No.1599 of 2020 under Sections 143, 188, 269, 270 and 3 of Epidemic Disease Act, 1897. Challenging the said complaint, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner has made protest in a peaceful manner after following the protocol issued by the State Government during lockdown period and the issues raised in this writ petition are



squarely covered in the decision reported in **2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in the case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.**

3. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

5. Perused the materials on record.

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.** Accordingly, the proceedings in FIR in Crime No. 1599 of 2020 dated 08.09.2020, on the file of the first respondent police, is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar
(Vacation Officer/CS.I)

// True Copy //

18/05/2022

Sub Assistant Registrar(CS)

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,
Samayanallur Police Station,
Samayanallur,
Madurai.

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

ORDER IN

CRL OP(MD) . No.8930 of 2022

Date : 11.05.2022

SA(18.05.2022) 3P 3C