



CrI.O.P.(MD) No.21509 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.21509 of 2022

and

CrI.M.P.(MD) No.15142 of 2022

K.Arulmurugan,

: Petitioner

Vs

1. The State represented by
The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District
(Crime No.41 of 2018).

2. Sivarajapandian,
Sub Inspector of Police,
Virudhunagar
East Police Station,
Virudhunagar District.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to pass an order to call for the records pertaining to the First Information Report in Crime No.41 of 2018, dated 24.01.2018, on the file of the Respondent No.1 and quash the same as illegal as against the petitioner



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alone.

For Petitioner : Mr.M.Karunanithi
For R1 : Mr.M.Muthu Manikkam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed invoking Section 482 of Code of Criminal Procedure seeking orders to quash the impugned FIR in Crime No.41 of 2018, on the file of the second respondent Police.

2.The petitioner, who is the accused No.4 is facing a case under Sections 143 and 188 of IPC. The case of the prosecution is that on 24.01.2018, the petitioner and other accused persons have staged road roko agitation demanding reducing bus fare and hence, the case came to be registered in Crime No.41 of 2018 for the offence under Sections 143 and 188 IPC.

3.The learned Counsel appearing for the petitioner would submit that at the instance of the fifth accused, the proceedings have already been quashed, so far as the said accused is concerned in CrI.O.P(MD)No.11178 of 2021, vide order, dated 11.08.2021. The ground on which, the case was quashed



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against the fifth accused is very much available for the petitioner/fourth accused.

4.The case on hand is squarely covered by the decision of this Court in the case of ***Dhanapal Vs. State represented by the Inspector of Police, Virudhunagar East Police Station***, order passed in ***Crl.O.P(MD)No.11178 of 2021, dated 11.08.2021.***

5.In view of the above, the impugned FIR in Crime No.41 of 2018 filed as against the petitioner/fourth accused stands quashed. Accordingly, this criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

06.12.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
lr



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To

1. The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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