



WEB COPY

Crl.O.P.(MD)No.4872 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.4872 of 2023

and

Crl.M.P(MD).No.4302 of 2023

U.Sangilimurugan

... Petitioner

Vs.

1.State through,
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

2.S.Mohamed Noortheen
Sub Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned First Information Report in Crime No.308 of 2021 under Section 151 Cr.P.C dated 02.12.2021 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This petition has been filed to call for the records pertaining to the impugned First Information Report in Crime No.308 of 2021 under Section 151 Cr.P.C dated 02.12.2021 on the file of the first respondent and quash the same as illegal.

2. The case in Crime No.308 of 2021 has been registered against this petitioner under Section 151 Cr.P.C., stating that on 02.12.2021, at 11.10 a.m, the second respondent police got a secret information and the police officials went to the occurrence place. At that time, all the accused persons (i.e) names mentioned in the FIR, gathered near Laxmi theatre and making protest against the Price Hike of Petrol and Diesel Prices and the GST Tax in Building Construction Materials and etc. All the persons were immediately arrested and taken into custody and thereafter, the present FIR has been registered. To quash the above said FIR, the present petition has been filed by the petitioner, who was arrayed as 57th accused.

3. The learned counsel for the petitioner straight away relied upon the order of this Court in Crl.O.P(MD).No.5263 of 2019 dated



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23.04.2019, wherein, this Court by extracting the Section 151 Cr.P.C., found that it is not a penal provisions, after expiry of 24 hours, automatically the action will lapse, on that ground, FIR registered against him was quashed. Therefore, FIR in Crime No.308 of 2021 is liable to be quashed.

4. In view of the above, FIR in Crime No.308 of 2021 is quashed and this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is also closed.

15.03.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
- 2.S.Mohamed Noortheen
Sub Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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