



Crl.O.P.(MD)No.5174 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5174 of 2023

and

Crl.M.P(MD) Nos.4577 of 2023

S. Mahalingam

... Petitioner/Accused No.31

Vs.

The State represented by
The Inspector of Police
Kodaikanal Police Station,
Dindigul District.
(Crime No.1473 of 2020)

...Respondent No.1/ Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Impugned First Information Report in Crime No.1473 of 2020 dated 08.11.2020 for offences U/s. 143, 341, 269 of IPC and 3 of Epidemic Diseases Act and quash the same as illegal.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section

482 Cr.P.C., seeking orders to call for the records pertaining to the Impugned

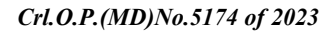


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First Information Report in Crime No.1473 of 2020 dated 08.11.2020 for offences U/s. 143, 341, 269 of IPC and and quash the same as illegal.

2. The case of the prosecution is that the second respondent/ defacto complainant had lodged a complaint against the petitioner and other 31 persons statint that even after knowing about the lockdown 144 restrictions had gathered and made a protest against the Government without getting any proper permission. Based upon the complaint given by the second respondent, a case in Crime No.1473 of 2020 has been registered on 08.11.2020, for the offences punishable under Sections 143, 341 and 269 IPC against 32 persons including the petitioner herein.

3. Seeking quashment of the same, the petitioner has come up with this Criminal Original Petition, mainly on the ground that the offences alleged against the petitioner i.e., the maximum punishment for the offence under Section 143 IPC is six months or with fine or both ; maximum punishment for 341 IPC is one month or with fine or both; maximum punishment for 269 IPC is six month or with fine or both. So the cognizance barred by limitation since final report is



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8. In view of the forgoing reasons, this Criminal Original Petition is allowed. Case in Crime No.1473 of 200, pending on the file of the Sub Inspector of Police, Kodaikanal Police Station, Dindigul, is hereby quashed as against the petitioners herein. Consequently, connected Miscellaneous Petition is closed.

20.03.2023

NCC:Yes/No
Index : Yes/No
Internet:Yes/No
Indu

To

- 1.The Inspector of Police
Kodaikanal Police Station,
Dindigul District

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



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G.ILANGO VAN, J.,

Indu

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