



Crl.O.P.No.7941 of 2024 & Crl.M.P.No.5769 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

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& Crl.M.P.No.5769 of 2024

1. Mathivanan.
2. S.Aravanan.
3. Veerakumaran @ Veerakumar.
4. M.Thambi ... Petitioners/Accused 1 to 4

/versus/

1. The State Rep. by
The Sub Inspector of Police,
Erode Town Police Station,
Erode District. ... Respondent/Prosecuting Complainant
2. Ramprabhu,
Sub Inspector of Police.
Erode Town Police Station,
Erode District. ... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in STC.No.1625 of 2020 on the file of the Learned Judicial Magistrate – II Court at Erode and to quash the same.



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For Petitioners : Mr.R.Thirumoorthy

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to call for the records in STC.No.1625 of 2020 on the file of the Learned Judicial Magistrate – II, Erode.

2. The case against the petitioner is based on the complaint given by one Ramprabhu, Sub Inspector of Police, alleging that the petitioners A1 to A4 gathered near Surampatti, four cross road junction and raised slogan opposing NEET exam and this has occurred during Covid-19. The date of occurrence is 22.09.2020. The charges are under Section 143, 341, 271, 291 of I.P.C.

3. Considering the nature of the complaint and the charges framed, this Court does not find any adverse criminal conduct by the petitioners as mentioned in the F.I.R except for not maintaining the social distance prescribed under the Covid-19 manual. Taking note of the fact that it is the expression of view in the democratic manner. Though not followed strict compliance with the Covid-19 restrictions, the petitioners need not be penalised by criminal prosecution, since

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they have not caused any disturbance to the public or their conduct was threat to the public tranquility.

4. Accordingly, this ***Criminal Original Petition is allowed.*** The F.I.R in STC.No.1625 of 2020 on the file of the Judicial Magistrate – II, Erode is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

02.04.2024

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Judicial Magistrate – II, Erode.
2. The Sub Inspector of Police,
Erode Town Police Station,
Erode District.



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DR.G.JAYACHANDRAN, J.

bsm

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