



Crl.O.P(MD) No.5515 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE **M. NIRMAL KUMAR**

Crl.O.P.(MD) No.5515 of 2024

and

Crl.M.P(MD) Nos.4263 and 4264 of 2024

Ayyanar

Vs.

...Petitioner

The State Rep. by

1. The Inspector of Police

Dindigul Town North Police Station

Dindigul District

2. Manokaran

Sub Inspector of Police

Dindigul Town North Police Station

Dindigul District

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C praying to call for the records in C. C.No.45 of 2022 on the file of the Judicial Magistrate No.II. Dindigul and quash the same as against the petitioner concern.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.A.Thiruvadi Kumar
No.1 Additional Public Prosecutor



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ORDER

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2. The case projected against the petitioner and others is that the petitioner along with eight others on 08.07.2020 at about 12 Noon staged a protest raising slogan demanding Rs.15,000/-as a risk relief for attending work during the corona period, they are all office bearers of private bus conductors association . The protest held in the Dindigul bus stand a public place. Due to assembly of nine persons during the pandemic period they restrained the public from free movement, caused obstruction to the Traffic. Hence the case registered in Crime No.2000 of 2020 for the offences under Sections 143,341,283 and 269 of IPC. After investigation final report filed and the same taken cognizance in C.C. No.45 of 2022 by the learned Judicial Magistrate No.II, Dindigul.

3. The contention of the petitioner is that the petitioner has been wrongly implicated as an accused in the charge sheet. The coming into force of prohibitory order not publicized to the knowledge of the public. No public had given any complaint about any restraint to the public and obstruction to the



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traffic. All witnesses projected are police personnels. The learned counsel appearing for the petitioner would further submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 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**

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner in violation of prohibitory order under Section 144 of Cr.P.C along with other members of the private bus conducted protest against the State Government on 08.07.2020 at Dindigul bus stand. He would fairly submit that this Court in similar grounds quashed the proceedings based on the citations given by the learned counsel appearing for the petitioner.

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

6. Perused the materials on record



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7. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Crl) 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 C. C.No.45 of 2022 on the file of the Judicial Magistrate No.II. Dindigul is hereby quashed not only against the petitioner but against all the other accused, who are also similarly placed. and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

8. The above case not to be projected as an impediment to the petitioner and others for their future education and employment.

18.11.2024

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



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To

1. The Judicial Magistrate No.II. Dindigul

2. The Inspector of Police
Dindigul Town North Police Station
Dindigul District

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



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M. NIRMAL KUMAR.J.,

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