



Crl.O.P.(MD)No.10432 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10432 of 2024
and
Crl.M.P.(MD)No.7023 of 2024

1.K.Vetrivel

2.K.Karthik

3.K.Muthukrishnan

4.P.Madhan Alexandar

5.P.Murugan

6.N.Kannan

... Petitioners

Vs.

1.The Inspector of Police,
Irugankudi Police Station,
Virudhunagar District.

2.Mooventhan,
Sub Inspector of Police,
Irugankudi Police Station,
Virudhunagar District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in



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Cr.No.51 of 2024 on the file of the first respondent police and quash the same as illegal to the petitioners are concerned.

For Petitioner : Mr.G.Thiruvartselvan
For R1 : Mr.M.Sakthi Kumar,
Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed to quash the First Information Report in Cr.No.51 of 2024 pending on the file of the first respondent Police as against the petitioners.

2.The case of the prosecution is that on 22.04.2024, a peace committee meeting was conducted with regard to the celebration of Chitra Pournami festival in Arulmigu Vengadasalapathy Temple. In the meeting, the Tahsildar has permitted the village people to celebrate the festival and imposed 10 clauses of conditions. On 25.04.2024, when the chariot reached the occurrence place, the accused Nos.1 to 12 tried to put garland to their community leader and the same was objected by the others. Due to the same, the chariot could not reach the destination within the time. When the defacto complainant, who is the Sub-



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Inspector of Police, interfered in the situation, the accused has not co-operated with him. Hence, a case was registered in Cr.No.51 of 2024 for the offence under Sections 143 and 353 IPC. Challenging the same, the petitioners filed the present petition.

3.The learned counsel appearing for the petitioners submits that after obtaining proper permission from the Tahsildar, the villagers participated in the temple festival and hence, registering a case under Section 143 IPC is not sustainable. Further, he submits that there is no specific overt act as against the petitioners. Accordingly, he prays to quash the impugned FIR.

4.The learned Government Advocate(Crl.side) appearing for the first respondent submits that the grounds raised by the petitioner can be appreciated only during the course of investigation. Accordingly, he prays to dismiss the present petition.

5.This Court considered the rival submissions made on either side and perused the materials available in the record.



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6.As rightly pointed out by the learned Government Advocate(Crl.side), the grounds raised in the present petition, can be appreciated only during the course of investigation and therefore, this Court is not inclined to quash the impugned FIR, which is pending at the stage of investigation. The investigation in Cr.No.51 of 2024 has to be conducted in a fair manner and the first respondent is expected to conduct the investigation in all the angles and not to file the final report mechanically. The first respondent shall appreciate the grounds raised in the present petition during the course of investigation and shall file final report. In the event of filing final report as against the petitioners, it is always open to them to challenge the final report, in the manner known to law. Expecting that a fair investigation will be conducted, this Court is not inclined to interfere with the investigation.

7.In the result, this criminal original petition is dismissed.
Consequently, connected miscellaneous petition is closed.

12.07.2024

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



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To

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



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B.PUGALENDHI,J

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