



Crl.O.P.(MD)No.17464 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.17464 of 2024

and

Crl.M.P.(MD)Nos.10824 and 10825 of 2024

1.Akash @ Akashkumar

2.Uvaraja

3.Sarath

... Petitioners/A4, A5 & A11

VS.

1.State Rep. by its

The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.

Crime No.179 of 2016

... 1st Respondent/Complainant

2.Koilraj

GRI 2770, Pazhavor Police Station,
Pazhavor, Tirunelveli District.

... 2nd Respondent/Defacto Complainant

Prayer:- Petition filed under Section 482 of Cr.P.C./528 of BNSS, to call for the records relating to the charge sheet in C.C.No.207 of 2018 on the file of the learned Judicial Magistrate, Vallioor and quash the same against the petitioners as illegal.



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For Petitioners : Mr.S.Sukumar

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

ORDER

The petition is filed to quash the charge sheet in C.C.No.207 of 2018 on the file of the learned Judicial Magistrate, Vallioor, against the petitioners.

2.The learned counsel for the petitioner would submit that the allegation against the petitioner is that on 14.09.2016 at about 09.00 p.m., the defacto complainant party went to the back side of the Chidambarapuram Keela Amman Kovil Street on the eve of the car festival. When the car festival started, the accused persons by standing on the auto, caused public nuisance and also danced. They were warned to follow the High Court order. In spite of that, they abused the police people in filthy language and also criminally intimidated. One of the persons, slipped from the auto and sustained injuries. When the villagers warned the above said persons, they went from that place. On the basis of the said



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occurrence, a case in Crime No.179 of 2016 was registered and after completing the investigation process, the final report was filed and was taken cognizance in C.C.No.207 of 2018 by the learned Judicial Magistrate, Vallioor for the offences under Sections 147, 294(b), 353 and 506(i) of IPC. Earlier one Sachin, who is arrayed as A7, approached this Court by way of quash petition. This Court, after considering the ingredients of Sections 296(b), 503 and 506(i) of IPC, had come to the conclusion that none of the offences are made out and quash the case.

3. When the matter came up for admission when this Court posed a specific query to the learned Government Advocate (Crl. side) that whether the petitioner is also similarly situated as that of A7, the learned Government Advocate (Crl. side) is not in a position to differentiate the petitioner from that of the accused No.7 with reference to whom the case is already quashed.

4. In view thereof, this Criminal Original Petition deserves to be allowed and the proceedings in C.C.No.207 of 2018 on the file of the learned Judicial Magistrate, Vallioor stands quashed as much as the



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petitioners are concerned. Consequently, connected miscellaneous petitions are closed.

18.10.2024

NCC : Yes / No
sji

To

- 1.The II Additional District and Sessions Court, Tiruchirappalli District.
- 2.The Inspector of Police,
Cantonment Police Station,
Cantonment, Tiruchirappalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

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