



Crl.O.P.(MD)No.19053 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19053 of 2024

and

W.M.P(MD).No.11778 of 2024

Elangovan

: Petitioner

Vs.

1.The State of Tamil Nadu
rep., by the Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
(Crime No.22 of 2022)

2.Ulaganathan

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records pertaining in Crime No.22 of 2022 on the file of the
first respondent and quash the same as illegal.

For Petitioner

: Ms.A.Banumathy

For R-1

: Mr.K.Sanjai Gandhi

Government Advocate (crl.side)



Crl.O.P.(MD)No.19053 of 2024

ORDER

WEB COPY

The petitioner /A3 in Crime No.22 of 2022 for the offence under Sections 143, 269, 270 of IPC and Section 51(b) of the Disaster Management Act, 2005 had filed this quash petition.

2. The gist of the case is that on 17.01.2022 at about 09.00 am., Jallikattu festival was conducted in Sri Sakthi Vinayagar Temple and Mayan Perumal Temple, situated in Vannianviduthy Village. Due to corona period, some conditions was imposed by the Government and 150 people were allowed to participate in the said festival. But, the petitioner being the organizer of said festival allowed the people in the said festival from the nearby village, which violates the lock down conditions. In this regard, the Village Administrative Officer of Senthangkudi Village, who is in-charge of Araiypatti Village, had lodged a complaint before the Alangudi Police Station and the same was registered in Crime No.22 of 2022. Challenging the same, this petition has been filed.

3. It is the contention of the petitioner that jallikattu was conducted, after getting proper permission and approval from the authority concerned. Except the bald allegation of the defacto complainant, no one has given



statement in this regard and after conducting Jallikattu, there is no materials to show that corona virus increased. It is further stated that the Village Administrative Officer came from the another village and he is not familiar with the petitioner's village. The petitioner being the organiser filed an application seeking permission for conducting Jallikattu and the visitation by others beyond the arena is not under the control of the petitioner. Hence, according to the petitioner, he has been falsely implicated in this case and it is liable to be quashed.

4. The learned Government Advocate (crl.side) would submit that on 17.01.2022 at about 09.00 am., Jallikattu festival was conducted in Sri Sakthi Vinayagar Temple and Mayan Perumal Temple, situated in Vannianviduthy Village in the presence of officers of Revenue and Medical department, Veterinary Doctor, Fire Department and Police officials. There were four police check post available. Despite the same, the petitioner allowed the other villagers to the Jallikattu Thidal, which violates the lock-down condition. It is further submitted that during the corona period, there were several deaths, which could not be controlled. With great efforts, the same was brought under control. At that time, the act of the petitioner is reckless. Hence, FIR has been registered and now,



investigation has been completed and charge sheet is yet to be filed. He also fairly submitted that in this case, neither villagers nor public had made any complaint. The witnesses examined are the Village Administrative Officer and Village Assistant. He also submitted that there was no spike in corona-virus spread following the event.

5. Considering the above submission, this Court finds that during corona period, the petitioner obtained permission to conduct Jallikattu with some restrictions. There is no materials to show that how many number of participants, which exceeds the permitted limits and how they violated the lock-down condition. Further, in this case, after Jallikattu, there is no materials to show that covid-19 cases spiked after conducting Jallikattu. It is also seen that in the presence of Police and Revenue officials, Veterinary Doctors, Fire Department, that jallikattu festival had taken place. None of these officials made any complaint, added to it no public witness examined.

6. In such circumstances, this Court finds that there is no case made out against the petitioner and the submission that the petitioner alone is responsible for the said incident is not proper. Hence, the petitioner is



Crl.O.P.(MD)No.19053 of 2024

discharged from the aforesaid case. Consequently, Crime No.22 of 2022 registered against the petitioner as well as other accused persons is hereby quashed.

7. With the above direction, this Criminal Original Petition is **allowed**. It is made clear that the above case cannot be referred or quoted against the petitioner as well as other accused in future in any manner including their future employment. Consequently, connected Miscellaneous Petition is closed.

06.11.2024

NCC : Yes/No

Index : Yes / No

Rmk

Note : Issue order copy on 08.11.2024

To

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



WEB COPY



Crl.O.P.(MD)No.19053 of 2024

M.NIRMAL KUMAR,J.

Rmk

Crl.O.P.(MD)No.19053 of 2024

06.11.2024