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Crl.O.P. No.32290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32290 of 2025
and Crl.M.P.Nos.22393 & 22395 of 2025

Saravanan.K

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avinankudi Police Station,
Cuddalore District.
(Crime No.400 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records in Crl.M.P.No.3612 of 2023 issued by the learned Judicial Magistrate, Tittagudi.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed seeking to quash Crl.M.P.No.3612 of 2023 issued by the learned Judicial Magistrate, Tittagudi.



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2. The brief facts of the case are that on 24.06.2020, the petitioner and others, violating Section 144 Cr.P.C issued by the Central and State Governments to prevent the spread of the corona virus, had unlawfully assembled, without obtaining any permission, and conducted a protest refusing to receive the body of one Sankar, who died in an accident and caused nuisance. On account of the same, a case in Crime No.400 of 2020 was registered by the respondent Police for the offences under Sections 143, 188 & 269 IPC. After completion of investigation, the respondent Police filed the charge sheet with the delay of 400 days on 05.12.2022 before the learned Judicial Magistrate, Tittagudi. Thereby, the learned Magistrate issued summons to the petitioner in C.M.P.No.3612 of 2023, which is now sought to be quashed.

3. Learned counsel appearing for the petitioner submitted that the petitioner was not aware that the charge sheet was pending against him and that the summons from the learned Magistrate was served on the petitioner on 21.02.2024. He further submitted that the respondent Police have also not stated any proper reasons for the delay caused in filing the charge sheet.



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4. It is his further submission that the facts of the instant case are similar to the facts of the cases in ***Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. Hence, he prayed to quash the summons issued on the petitioner.

5. Learned Additional Public Prosecutor appearing for the respondent Police submitted that the present case was registered due to the protest conducted in violation of the Government Order during Covid-19 pandemic. He also endorsed the submission of the learned counsel for the petitioner that the facts of the instant case are akin to the facts in the aforesaid two cases.

6. Having heard the learned counsel appearing on either side and upon perusal of the entire materials available on record, this Court is of the opinion that the above said decisions would apply on all fours to the present case and that no useful purpose will be served by keeping the proceedings pending and the same is liable to be quashed.



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7. Accordingly, the Criminal Original Petition stands allowed and the summons issued by the learned Judicial Magistrate, Tittagudi, on the petitioner in Crl.M.P.No.3612 of 2023 is hereby quashed as against the petitioner. Consequently, the connected miscellaneous petitions are closed.

27.11.2025

Neutral Citation: Yes/No

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To

1. The Judicial Magistrate, Tittagudi.
2. The Inspector of Police,
Avinankudi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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27.11.2025