



Crl.O.P.(MD)No.1324 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1324 of 2025

Mahendran

.. Petitioner

Vs

1.The State of Tamil Nadu rep.by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District,
(Crime No.632 of 2020)

2.Sathiyamoorthy

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records relating to the impugned First Information Report in
Crime No.632 of 2020 on the file of the respondent police and quash the
same.

For Petitioner : Mr.V.Malaiyendran

For R1 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in Crime No.632 of 2020 on the file of the respondent police.

2. The case projected against the petitioner is that the petitioner along with other accused persons on 28.12.2020 at about 04.00 p.m., have unlawfully assembled at Kuyavan Koil Street without getting any permission and conducted Grama Sabai Kootam, though stringent conditions have been made amidst Covid-19. Hence, a case has been registered in Crime No.632 of 2020 for the offences under Sections 143, 269, 270 of IPC against the accused persons.

3. The contention of the petitioner is that the case was registered in the year 2020, but till date no charge sheet has been laid and the case is kept pending without any progress. He would further submit that no specific overt act has been attributed as against any of the petitioner herein. 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**



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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 would submit that the petitioner and others had held protest without getting any permission from the concerned officials. He would fairly submit that this Court in similar grounds quashed the proceedings based on the citations referred by the learned counsel appearing for the petitioners.

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

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***



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***and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated
30.08.2019.***

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8. In the result the Criminal Original Petition stands allowed and the proceedings in Crime No.632 of 2020 on the file of the first respondent police is quashed not only against the petitioner but also as against all the other accused, who are also similarly placed.

23.01.2025

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

- 1.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai 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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Crl.O.P.(MD)No.1326 of 2025

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