



Crl.O.P.No.24982 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.24982 of 2022

&

Crl.M.P.Nos.15605 & 15141 of 2022

M. Karthik

... Petitioner

Vs.

State rep. By,
Inspector of Police,
V-7, Nolambur Police Station,
Anna Nagar,
Chennai.

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to call for the records in connection with Crime No.1323 of 2020 on the file of the respondent and quash the same.

For Petitioner : Mr.D. Srinivasan

For R1 : Mr.S.Santhosh
Govt. Advocate (Crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No. 1323 of 2020 on the file of the Respondent Police.



CrI.O.P.No.24982 of 2022

2.The learned counsel for the Petitioner submitted that during the time of Covid-19 lock down, when 144 Cr.P.C., was in force, on 04.06.2020, on inspection, the respondent police, having found the petitioner roaming outside, registered an FIR against him under section 188 IPC and 3 of Epidemic Diseases Act, 1897 in Crime No.1323 of 2020, inspite of his explanation that he came out for buying medicine for his mother. He would further submit that the petitioner is intending to go abroad and applied for passport, but his application is kept pending by the passport officials due to pending FIR against him before the respondent police. Hence he filed the present Criminal Original Petition for the aforesaid relief.

3.The learned Government Advocate (CrI.Side) submitted that in view of GO (Ms) No.176, dated 05.04.2022, nearly 1,18,332 cases registered at Chennai on minor offences relating to Covid-19 norm violation have been withdrawn as further action dropped by the concerned police station.



CrI.O.P.No.24982 of 2022

4. Perusal of records would reveal that this case is registered against the petitioner during the COVID 19 period for the offences under sections 188 IPC and 3 of Epidemic Diseases Act, 1897 only for violating prohibitory orders declared by the Government. These type of cases have been withdrawn by the Government as per the above said Government Order.

5. Recording the submission of the learned Govt. (Crl. Side), this Criminal Original Petition is allowed by quashing the First Information Report in Crime No.1323 of 2020 registered on 4.6.2020 for the offences punishable under section 188 IPC and 3 of Epidemic Diseases Act, 1897 on the file of the respondent police. Consequently, the connected miscellaneous petitions are closed.

14.10.2022

Index: Yes/No
Internet: Yes/No
Speaking order/Non-speaking order
msr



WEB COPY



CrI.O.P.No.24982 of 2022

V. SIVAGNANAM, J.

msr

To

1. Inspector of Police,
V-7, Nolambur Police Station,
Anna Nagar,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.24982 of 2022
&
CrI.M.P.Nos.15605 & 15141 of 2022

14.10.2022