



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P(MD)No.789 of 2022

in

Crl.M.P(MD)No.570 of 2022

1.Robinson

2.Reegan

... Petitioners/Accused Nos.1 & 2

Vs.

1.State Rep.by

The Inspector of Police,
Tuticorin Central Police Station,
Tuticorin.

(In Cr.No.134 of 2021)

... 1st Respondent/Complainant

2.Senthil Suresh

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the F.I.R in Crime No.134 of 2021 on the file of the first respondent and quash the same as illegal.

For Petitioners : Mr.V.Malaiyendran

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.134 of 2021 on the file of the first respondent and quash the same as illegal.

2.The case of the prosecution is that on 23.04.2021 when the second respondent was on duty, the petitioners came in the motorcycle without wearing the Mask and the same was questioned by the defacto complainant. It is alleged that the petitioners said to have quarreled with the defacto complainant. Hence, the FIR was registered against the petitioners for the offences under Sections 269, 283 of IPC and Section 3 of Epidemic Decease Act, 76(2) of the Tamilnadu Public Health Act, 1939.



3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the first respondent.

4.I will not fault the respondent for having registered the impugned First Information Report. But no adverse consequence ensued. It is seen that the Government has taken a policy decision not to pursue the cases registered in the wake of breach of lock down restrictions. In these circumstances, continuance of the impugned prosecution is not warranted.

5.Therefore, the impugned First Information Report is quashed. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Tuticorin Central Police Station,
Tuticorin.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V. MALAIYENDRAN, Advocate (SR-18003[F] dated 12/04/2022)

CrI.O.P(MD)No.789 of 2022
in
CrI.M.P(MD)No.570 of 2022
11.04.2022