



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.779 of 2022 and

CRL.M.P.(MD)No.564 of 2022

WEB COPY

S.Sivasankar

... Petitioner / Sole Accused

Vs.

1. State rep. By,
The Inspector of Police,
Koodal Pudur police station,
Madurai City.
(Crime No.1060 of 2020) ... 1st Respondent / Complainant

2. M.Elangeswaran,
Sub Inspector of Police - 7031,
Koodal Pudur police station,
Madurai City. ... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to FIR in Crime No.1060 of 2020 on the file of the first respondent pending disposal of the criminal original petition and quash the same as against the petitioner.

For Petitioner : Mr.C.Prithiviraj
For R-1 : Mr.B.Thanga Aravindh,
Government Advocate(Crl. Side).

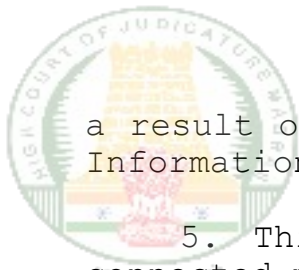
O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first respondent.

2. This criminal original original petition has been filed to quash the impugned First Information Report that was registered for the offences under Sections 188 and 270 of I.P.C.

3. The case of the prosecution is that on 15.06.2020, the petitioner was found violating the lock down restrictions.

4. The respondent could not have registered the First Information Report for the offence under Section 188 of I.P.C. The petitioner was not suffering from any infectious disease, nor he contributed to its spread. Therefore, Section 270 of I.P.C. also could not have been invoked. No adverse consequences have ensued, as



a result of the petitioner's conduct. Therefore, the impugned First Information Report is quashed.

5. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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,
Koodal Pudur police station,
Madurai City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.779 of 2022
12.01.2022

MGJ(03.02.2022) 2P 3C