



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.836 of 2022

1.Muthuganesan
2.Raja

... Petitioners/Accused No.4 & 5

Vs.

The State rep. by
The Inspector of Police,
Karimedu Police Station,
Madurai City.
(In Crime No.21 of 2021)

... Respondent/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to impugned FIR in Crime No.21 of 2021 pending on the file of the respondent police, quash the same.

For Petitioners : Mr.S.Vishnuvardhan
For Respondent : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side)

O R D E R

Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

2.The case of the prosecution is that the petitioners and the other accused had violated the lockdown restrictions on 03.01.2021. That led registration of Crime No.21 of 2021 on the file of the respondent for the offences under Sections 143, 341, 283, 290 and 269 of IPC.

3.The learned counsel for the petitioners states that the accused are members of DMK and that on 03.01.2021, they conducted Grama Sabha meeting. He would however claim that they did adhere to covid protocol.

4.Be that as it may, it is not the case of the respondent that the accused were suffering any infectious disease or that they contributed to its spread. Since no adverse consequences ensued,

<https://hcservices.ecourts.gov.in/hcservices/>



continuance of the impugned prosecution is not warranted. The impugned FIR is quashed. The criminal original petition is allowed. The benefit of this order will enure in favour of the non-petitioning accused also.

Sd/-

Assistant Registrar (AE)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Karimedu Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+6 CC to M/s.S.VISHNUVARDHAN, Advocate(SR-1843[F] dated 20/01/2022)

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MGJ(02.02.2022) 2P 10C