



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.2545 of 2022

and

Crl.M.P(MD)No.1339 of 2022

Rajasekarapandiyan

...Petitioner/2<sup>nd</sup> Accused

Vs.

1.The State represented by its  
The Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.

2.Saravanan,  
The Sub-Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.

...Respondents/Complainant

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in Cr.No.198 of 2021, dated 05.05.2021 on the file of the first respondent i.e., the Inspector of Police, Sayalkudi Police Station, Ramanathapuram District and quash the same as against the 2<sup>nd</sup> accused.

For Petitioner : Mr.M.Sivasankar

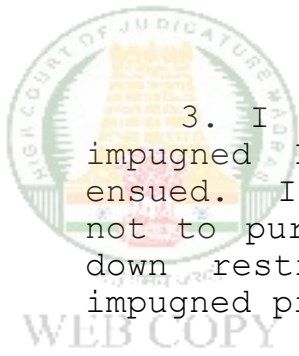
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor(Crl.Side)

**O R D E R**

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner and others had assembled and conducted the protest against the governance of West Bengal without prior permission and following the Corona Pandemic Norms and social distancing in violation of the lock down restrictions on 05.05.2021. Hence, Crime No.198 of 2021 was registered on the file of the Inspector of Police, Sayalkudi Police Station, Ramanathapuram District for the offences under Sections 143, 269 and 291 of I.P.C.



3. 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.

4. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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,  
Sayalkudi Police Station,  
Ramanathapuram District.
- 2.Saravanan,  
The Sub-Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Crl.O.P (MD)No.2545 of 2022  
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SAR(CO)  
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