



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.3606 of 2022

and Crl.M.P(MD) No.2652 of 2022

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Y.Mariaselvan

...Petitioner/Accused No.4

Vs.

1. State Through

The Inspector of Police

Karungal Police Station

Kanyakumari District

(Crime No.227 of 2020)

... Respondent/De Jure Complainant

2. Mohana Ayyar

The Sub-Inspector of Police

Karungal Police Station

Kanyakumari District

...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records connected in impugned FIR in Crime No. 227 of 2020 dated 22.05.2020 on the file of the respondent No.1 and quash the same as illegal as against the petitioner concerned.

For Petitioner : M/s.Alagumani R

For Respondents : Mr.R.M.Anbunithi

No.1 Additional Public Prosecutor

ORDER

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

2. The petitioner along with other accused conducted agitation with the demand of the distribution of the Personal Protective Equipments (PPE) in an quality manner for all the healthcare workers who are involved in treatin the Covid-19 patients in violation of the lock down restrictions on 08.04.2021. Hence, Crime No.227 of 2020 was registered on the file of respondent police for the offences under Sections 143,188,269 of IPC r/w.Section 3 of Epidemic Disease Act, 1897.

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.

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Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police
Karungal Police Station
Kanyakumari District

2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.3606 of 2022
22.02.2022

am(CO)

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