



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.(MD)No.3353 of 2022 and

CRL.M.P.(MD)No.2483 of 2022

Y.Mariaselvan @ Mariyaselvaraj ... Petitioner/
Accused Rank not known

Vs.

1. The State rep. By,
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District ...Respondent No.1/
Dejure Complainant

2. Ramesh
The Sub Inspector of Police,
Marthandam Police Station,
Kanyakumari District ... Respondent No.2/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records connected in impugned FIR in Crime No.1015 of 2020 dated 08.12.2020 on the file of the first respondent and quash the same.

For Petitioner : Mr.R.Alagumani
For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor.

O R D E R

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 involved in the agitation including the petitioner in violation of the lock down restrictions on 08.12.2020 Hence, Crime No.1015 of 2020 was registered on the file of respondent police for the offences under Sections 143,341,269 of IPC and 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.

Sd/-

Assistant Registrar (CS-III)

// 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,
Marthandam Police Station,
Kanyakumari District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.3353 of 2022
17.02.2022

RJ(CO)
KB(01.03.2022) 2P 3C