



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.3149 of 2022

1. T.Kanagaraj

2. T.Alex Pandian

... Petitioners/Accused 1 & 2

Vs.

1.The Inspector of Police

Uthumalai Police Station,

Tenkasi District.

(In Crime No.127 of 2020)

... Respondent/Complainant

2.S.V.Balaji,

Sub Inspector Police,

Uthumalai Police Station,

Tenkasi District.

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the FIR in Crime No.127 of 2020 pending on the file of 1st respondent police and quash the same as illegal.

For Petitioners : M/s.RajeshKumar.R

For Respondents : Mr.R.M.Anbunithi

No.1

Additional Public Prosecutor(Crl.Side)

ORDER

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

2. The petitioners along with other accused roamed in street in violation of the lock down restrictions on 07.04.2022. Hence, Crime No.127 of 2020 was registered on the file of Kulasekaram police station for the offences under Sections 270 of IPC

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.

Sd/-

Assistant Registrar (T & P)

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/ /2022

Sub Assistant Registrar(CS)

To

- 1.The Inspector of Police
Uthumalai Police Station,
Tenkasi District.
- 2.The Sub Inspector of Police,
Uthumalai Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

Crl.O.P. (MD) No.3149 of 2022
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RS (01.03.2022) 2P-4C