



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

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

Crl.O.P.(MD)No.2869 of 2022
and Crl.M.P(MD) No.2155 of 2022

Pratheesh

... Petitioner/Sole Accused

Vs

State represented by
The Sub Inspector of Police,
Colachel Police Station,
Kanyakumari District.
Crime No.321/21

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in F.I.R in Crime No. 321 of 2021 dated 04.06.2021 pending on the file of the respondent police as against the petitioner and quash the FIR.

For Petitioner : Mr.V.H.S.Prathap

For Respondents : Mr.R.M.Anbunithi

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 alleged to have roamed in his Yamaha passion bike bearing Reg.No.TN 75 AP 1905 in violation of the lock down restrictions on 04.06.2021. Hence, Crime No.321 of 2021 was registered on the file of Colachel police station for the offences under Sections 269 of IPC r/w.Section 3 of Epidemic disease Act.

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)

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// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1. The Sub Inspector of Police,
Colachel Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2869 of 2022
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NSN (CO)

SB(26.02.2022) 2P 3C