



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2103 of 2022

and

Crl.M.P(MD)No.1573 of 2022

Mahadevanpillai

...Petitioner/1st Accused

Vs.

1.The State represented by
The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
(Crime No.331 of 2021)

...Respondent/Complainant

2.Josephraj,
The Sub-Inspector,
Boothapandy Police Station,
Kanyakumari District.

... Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with Crime No.331 of 2021 on the file of the first respondent police and quash the FIR in so far as the petitioner is concerned.

For Petitioner : Mr.S.Poornachandran
For R1 and R2 : Mr.M.Veeranthiran
Govt. Advocate

O R D E R

The petitioner is figuring as an accused in Crime No.331 of 2021, registered on the file of Boothapandy Police for various offences.

2.It is seen that the members of a Political Party had assembled to raise a public issue. It is true that they had breached the lock down restrictions. But, none of them were suffering from infectious disease. They did not contribute to its spread. Therefore, the registration of the impugned FIR is unwarranted. The impugned FIR is quashed.

3.With the said observation, this Criminal Original Petition is allowed. The benefit of this order will enure in favour of the non-



petitioning accused also. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Records)

WEB COPY

// 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,
Boothapandy Police Station,
Kanyakumari District.
- 2.The Sub-Inspector,
Boothapandy Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.2103 of 2022
02.02.2022

IMS (CO)
GC (15.02.2022) 2P 4C