



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2175 of 2022

Vignesh

... Petitioner/
Sole Accused

Vs.

1.The State represented by,
The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
(Crime No.92 of 2020)

... 1st Respondent/
Complainant

2.Anbalagan,
The Sub-Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the Crime No.92 of 2020, on the file of the first respondent police and quash the same as against the petitioner is concerned.

For Petitioner : Mr.M.Iniyavan

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side) for R.1

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2. The petitioner is an accused in Crime No.92 of 2020 registered on the file of the first respondent for the offence under Section 269 IPC. It is not the case of the prosecution that the petitioner was suffering from any infectious disease. Therefore,



invoking the said provision is bad in law. The impugned FIR is quashed. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

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/ /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,
M.Pudupatti Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P(MD)No.2175 of 2022

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RD(01.03.2022) 2P 3C