



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.2218 of 2022
and
Crl.M.P(MD)No.1628 of 2022

Mahadevanpilla

... Petitioner/1st Accused

Vs.

1.State represented by
The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
(Crime No.295 of 2020)

...Respondent/Complainant

2.Ganesan,
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.295 of 2020 on the file of the first respondent police and quash the FIR insofar as the petitioner is concerned.

For Petitioner : Mr.S.Poornachandran

For R1 : Mr.M.Veeranthiran
Govt. Advocate

O R D E R

The petitioner is figuring as an accused in Crime No.295 of 2020, registered for the offences under Sections 269 and 270 of Indian Penal Code. The case of the prosecution is that the accused had assembled in a public place in violation of lock down restrictions. The accused were not suffering from any infectious disease nor they contributed to its spread. Therefore, invoking the offences in question is not warranted. The impugned FIR is quashed

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



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

Sd/-

Assistant Registrar (T&P)

// 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.

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