



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.2533 of 2022

and

Crl.M.P(MD)Nos.1448 and 1893 of 2022

WEB COPY

Raja

...Petitioner/Sole Accused

Vs.

1. The State represented by its
The Sub Inspector of Police,
Palavoor Police Station,
Palavoor,
Tirunelveli District.
(Crime No.116 of 2020)

...Respondent/Complainant

2. Chidambaram,
The Special Sub Inspector of Police,
Palavoor Police Station,
Palavoor,
Tirunelveli District.

...Respondent/Defacto Complainant

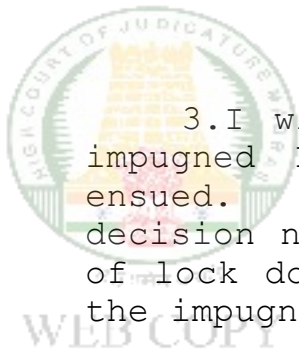
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with Crime No.116 of 2020 on the file of the Sub Inspector of Police, Palavoor Police Station, Palavoor, Tirunelveli District and subsequently quash the same as illegal, erroneous and devoid of merits.

For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.R.M.Anbunithi,
Addl.Public Prosecutor(Crl.Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2.The petitioner is the driver of the vehicle bearing Registration No.TN 76 AH 2323 and he was enquired by the respondent police for his movement in the main road, in violation of the lock down restrictions on 11.05.2020. The second respondent police did not get satisfied in the petitioner's explanation. Hence, Crime No.116 of 2020 was registered on the file of the Sub Inspector of Police, Palavoor police station, Tirunelveli, for the offences under Sections 188 and 269 of I.P.C.



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 petitions are closed.

Sd/-

Assistant Registrar (RECRODS)

// 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 Sub Inspector of Police,
Palavoor Police Station,
Palavoor,
Tirunelveli District.
2. The Special Sub Inspector of Police,
Palavoor Police Station,
Palavoor,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.2533 of 2022
07.02.2022

USK/21.02.2022/2P/4C