



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.2306 of 2022

and

Crl.M.P.(MD)No.1687 of 2022

Suresh

...Petitioner/
1st Accused

Vs.

1.State rep. by
Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.419 of 2020)

...Respondent/
Complainant

2.T.Chinthamani
Sub Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

...Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in connection with Crime No.419 of 2020 on the file of the first respondent police and quash the FIR in so far as the petitioner is concerned.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.M.Sakthi Kumar

Government Advocate(Crl.Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2. The petitioner is figuring as an accused in Crime No.419 of 2020 registered on the file of the first respondent for the offence under Section 269 and 270 IPC and Section 3 of Epidemic Diseases Act, 1897.

3. The case of the prosecution is that the accused assembled in public on 05.08.2020 in violation of lock down restrictions. It is not the case of the prosecution that the accused was suffering from



any infectious disease or contributed to its spread. The registration of the impugned FIR is not warranted. The impugned proceedings stand quashed. The Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /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,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.419 of 2020)
- 2.The Sub Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2306 of 2022

04.02.2022

MGJ(16.02.2022) 2P 4C