



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.2465 of 2022 and

CRL.M.P.(MD)No.1814 of 2022

WEB COPY

Rajakumar

... Petitioner/1st Accused

Vs.

1. The State rep. By,
The Inspector of Police,
Kulasekaram Police Station
Kanyakumari District

... Respondent/Complainant

2. Uma
Inspector of Police
Kulasekaram Police Station
Kanyakumari District

... Respondent /Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in connection with the crime no.397 of 2021 on the file of the first respondent police and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.R.Paranjothi

For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor.

O R D E R

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

2. The petitioner and 51others gathered and started stage protest condemning the arrest of Ex.Central Minister in violation of the lock down restrictions on 10.10.2021. Hence, Crime No.397 of 2021 was registered on the file of Kulasekaram police station for the offences under Sections 143, 269 and 270 of I.P.C. and Section 3 of the Epidemic Diseases Act, 1897.

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 petition is closed.

Sd/-

Assistant Registrar (T&P)

// 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,
Kulasekaram Police Station
Kanyakumari District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.2465 of 2022

07.02.2022

_RD(18.02.2022) 2P 3C