



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P(MD)No.2567 of 2022

and

CrI.M.P(MD)No.1912 of 2022

Rajesh

... Petitioner/1st Accused

Vs.

1.The State represented by its
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

... Respondent/Complainant

2.T.Chinthamani
The Sub-Inspector of Police,
Thiruvattar 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.418 of 2020 on the file of the first respondent police and quash the FIR insofar as the petitioner is concerned.

For Petitioner : Mr.S.Vijayakumar, Advocate
For Respondents : Mr.R.M.Anbunithi
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 respondents.

2.The petitioner who belongs to Hindu Munnani and 14 others gathered and started stage protest along with assembled crowd by breaching the Corona norms in violation of the lock down restrictions on 05.08.2020. Hence, Crime No.418 of 2020 was registered on the file of first respondent for the offences under Sections 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 also closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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.
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.2567 of 2022
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RS(18.02.2022) 2P-4C