



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2971 of 2022
and
Crl.M.P(MD)No.2227 of 2022

Muhesh ... Petitioner/Sole Accused

Vs.

1.The State represented by,
The Sub-Inspector of Police,
Kottar Police Station,
Kanyakumari District.
In Crime No.553 of 2021. ... 1st Respondent/Complainant

2.A.Saravana Kumar ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records relating to the FIR in Crime No.553 of 2021,
dated 06.06.2021 on the file of the first respondent and quash the
same.

For Petitioner : Mr.S.R.Sathan Boopathy

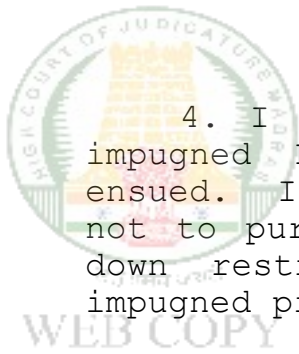
For R - 1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR
in Crime No.553 of 2021 on the file of the first respondent.

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

3. The petitioner said to have roamed in a two-wheeler and
acted against the curfew being observed to curb the spread of Covid-
19. Hence, Crime No.553 of 2021 was registered on the file of the
first respondent for the offences under Section 269 of I.P.C. and
Section 3 of the Epidemic Diseases Act, 1897.



4. 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.

5. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar

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

Order made in
CrI.O.P (MD)No.2971 of 2022
11.02.2022

ps

MS/22.02.2022/2P.3C