



**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.2577 of 2022**

**and**

**Crl.M.P(MD)No.1918 of 2022**

Renjith ...Petitioner/Sole Accused

Vs.

1.The State through  
The Inspector of Police,  
Thuckalay Police Station,  
Kanyakumari District. ...1<sup>st</sup> Respondent/Complainant

2.RuselRaj,  
The Sub Inspector of Police-2818,  
Thuckalay Police Station,  
Kanyakumari District. ...2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the Impugned FIR in Crime No.428 of 2021, dated 03.06.2021, on the file of the first respondent police and to quash the same as illegal.

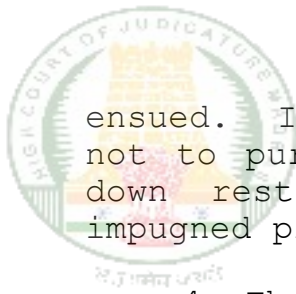
For Petitioner : Mr.D.Senthilkumar  
For Respondents : Mr.R.M.Anbunithi  
Additional Public Prosecutor

**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 was roamed near Alagiyamandapam during the surveillance of the second respondent along with Head Constable in violation of the lock down restrictions on 03.06.2021 at about 16.00 hours. Hence, Crime No.428 of 2021 was registered on the file of first respondent police for the offences under Section 269 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/-

Deputy Registrar(LA & MC)

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

+1 CC to M/s.G.ARAVINTHAN, Advocate ( SR-4685[F] dated 08/02/2022 )

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07.02.2022

svs(CO)  
TR(16.03.2022) 2P 4C