



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2635 of 2022 and
CRL.M.P. (MD)No.1960 of 2022

Muthukrishnan

... Petitioner/1st Accused

Vs.

1. The Inspector of Police
Kulasekaram Police Station,
Kanyakumari District.

... Respondent/Complainant

2. U.Vimala
The 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. 472 of 2020 on the file of the first respondent police and quash the FIR same in so far as the petitioner is concerned.

For Petitioner : Mr.S.Poornachandran
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 along with eight other persons gathered and did pooja for Sri Ramar Potrait on 05.08.2020 in violation of the lock down restrictions. Hence, Crime No. 472 of 2020 was registered on the file of Kulasekaram police station for the offences under Sections 269, 270 of IPC and Section 3 of Epidemic Disease Act, 1987.

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.

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Sd/-

Deputy Registrar (A/CS)

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

CrI.O.P. (MD) No.2635 of 2022
08.02.2022

RS (01.03.2022) 2P-3C