



WEB COPY

1

CRL.O.P.(MD)No.3266 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.(MD)No.3266 of 2022 and

CRL.M.P.(MD)No.2452 of 2022

S.Alagarsamy

... Petitioner /Accused No.3

Vs.

1. The State rep. By,
The Inspector of Police,
South Gate Police Station,
Madurai District

... Respondent/Complainant

2. P.Somu
The Sub Inspector of Police,
South Gate Police Station,
Madurai District

... Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.49 of 2022 pending on the file of the first respondent police and quash the same as against this petitioner alone.

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

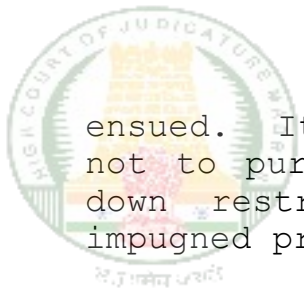
O R D E R

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

2. The petitioner and others of Hindu Munnani, a Hindu Religious Social Service Organization conducted agitation near Jansirani part at Madurai Town condemning the persons who are responsible for the suicide committed by the minor Hindu girl at Thanjavur school in violation of the lock down restrictions on 24.01.2022. Hence, Crime No.49 of 2022 was registered on the file of South Gate police station for the offences under Sections 143,341,291,270 of IPC and Section 3 of Epidemic Disease Act, 1897.

3. I will not fault the respondent for having registered the impugned First Information Report. But no adverse consequence

<https://hcservices.ecourts.gov.in/hcservices/>



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 in so far as the petitioner alone. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CA & MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

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,
South Gate Police Station,
Madurai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P.(MD)No.3266 of 2022
16.02.2022

_SS/07.03.2022 : 2P/3C