



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.3157 of 2022

and

Crl.M.P. (MD) .No.2360 of 2022

Akilan

...Petitioner/Sole Accused

Vs.

1. State rep by
The Inspector of Police,
Cumbum South Police Station,
Cumbum,
Theni District,

... Respondent/Complainant

2. P.Ramakrishnan
S/o.Not Known,
Sub Inspector of Police,
Cumbum South Police Station,
Cumbum,
Theni District.

...Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the FIR in connection with Crime No.532 of 2020 on the file of the Inspector of Police, Cumbum South Police Station, Cumbum, Theni District.

For Petitioner : M/s.Jeyakumar.B

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

ORDER

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



2. The petitioner along with other accused was found without wearing mask in violation of the lock down restrictions on 21.05.2020. Hence, Crime No.397 of 2021 was registered on the file of Cumbum South police station for the offences under Sections 269 of IPC r/w.134 of Tamil Nadu Public Health Act, 1939.

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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/-

Assistant Registrar(ADI)

// True Copy //

/ /2022

Sub Assistant Registrar

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To

1. The Inspector of Police,
Cumbum South Police Station,
Cumbum,
Theni District,
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court

Cr1.O.P.(MD) No.3157 of 2022
and
Cr1.M.P.(MD).No.2360 of 2022
15.02.2022

SP/02/03/2022/2P/3C