



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.2754 of 2022 and

CRL.M.P.(MD)No.2073 of 2022

WEB COPY

Stephen Raj

... Petitioner/Accused No.2

Vs.

1. The State rep. By,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District
(Crime No.577 of 2021)

... 1st Respondent/Complainant

2. Ramachandran
Sub Inspector of Police
Kovilpatti West Police Station,
Thoothukudi District

... 2nd 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.577 of 2021 pending investigation on the file of the first respondent police and quash the same as against the petitioner/A2

For Petitioner : Mr.R.PON KARTHIKEYAN, Advocate

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 and others were roaming without any valid reasons in their vehicles in violation of the lock down restrictions on 03.06.2021. Hence, Crime No.577 of 2021 was registered on the file of Kovilpatti West police station 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.

WEB COPY

Sd/-
Assistant Registrar (A.D.I)

// 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,
Kovilpatti West Police Station,
Thoothukudi District
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 cc to Mr.R.PON KARTHIKEYAN, Advocate, SR.No.4956

Crl.O.P. (MD)No.2754 of 2022
09.02.2022

SS (22.02.2022) 2P 4c