



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.2806 of 2021

and

Crl.M.P(MD) No.1482 of 2021

Jayaprakash

...Petitioner/ Sole Accused
Vs.

The State rep. through
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.547 of 2020

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to crime no.547/2020 dated 07/05/2020 on the file of the Inspector of Police, Samayanallur Police Station, Madurai District and quash the same.

For Petitioner : Mr.A.Vadivel

For R1 : Mr.B.Thanga Aravindh
Government Advocate

ORDER

This petition has been filed seeking to quash the proceedings in crime No.547/2020, dated 07/05/2020 on the file of the Inspector of Police, Samayanallur Police Station, Madurai District

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3.The petitioner went to purchase grocery items without wearing mask in violation of the lock down restrictions on 07.05.2020. Hence, FIR was registered in Crime No.547/2020 on the file of Samayanallur police station, for the offences under Sections 188 and 269 of IPC.

4.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.



5. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// 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,
Samayanallur Police Station,
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A. VADIVEL, Advocate (SR-18630[F] dated 13/04/2022)

Crl.O.P. (MD) No.2806 of 2021
12.04.2022

RD(04.05.2022) 2P 4C