



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.3761 of 2022

and

Crl.M.P(MD)No.2740 of 2022

1. Meiaraj ... Petitioner

Vs.

1.The State

The Inspector of Police,  
Puthiamputhur Police Station,  
Thoothukudi District.  
(Cr.No.402 of 2020)

2. R.Kandhasamy ... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records pertaining to the Impugned First Information Report in Cr.No.402 of 2020 dated 20.11.2020 for the offences under sections 143, 188 & 269 of IPC & Section 3 of Epidemic Act, 1897 on the file of the 1<sup>st</sup> respondent and quash the same against the petitioner as illegal.

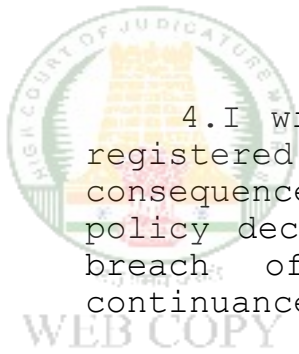
|                 |   |                              |
|-----------------|---|------------------------------|
| For Petitioner  | : | Mr.S.Vanchinathan            |
| For Respondents | : | Mr.R.M.Anbunithi             |
| R1              |   | Additional Public Prosecutor |

### ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Cr.No.402 of 2020, dated 20.11.2020, for the offences under Sections 143, 188 & 269 of IPC and Section 3 of Epidemic Act, 1897 on the file of 1<sup>st</sup> respondent, as illegal.

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

3.The petitioner and 9 others gathered and started stage protest condemning the arrest of Youth Wing Leader Mr.Udayanithi Stalin, in violation of the lock down restrictions on 20.11.2020. Hence, Crime No.402 of 2020 was registered on the file of the first respondent police for the offences under Sections 143, 188, 269 of I.P.C. and Section 3 of the Epidemic Diseases Act, 1897.



4.I will not find fault with the first 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, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

**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,  
Puthiamputhur Police Station,  
Thoothukudi District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Crl.O.P (MD) No.3761 of 2022  
and  
Crl.M.P (MD) No.2740 of 2022  
24.02.2022

CK (CO)  
KB (05.03.2022) 2P 3C