



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

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

Crl.O.P.(MD) No.4255 of 2022

and

Crl.M.P.(MD) No.3026 of 2022

WEB COPY

Jacobson Rajkumar

...Petitioner/Accused

Vs.

1. State represented through
The Sub Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Crime No.257 of 2020)

...1st Respondent/Complainant

2. R. Shanmuga Sundaram
The Sub Inspector of Police,
Eral Police Station,
Thoothukudi District.

...2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records pertaining to the impugned F.I.R made in Crime No.257 of 2020, on the file of the 1st respondent and quash the same in so far as this petitioner is concerned.

For Petitioner : M/s.S.Atham Ali

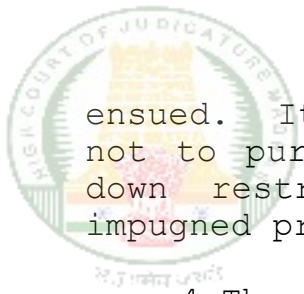
For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to quash the F.I.R registered in Crime No.257 of 2020, on the file of the first respondent.

2.The petitioner herein had come out to purchase the essential items for home, but the second respondent filed FIR as the petitioner violated the lock down restriction, without proper enquiry. Hence, Crime No.257 of 2020 was registered on the file of Eral police station for the offences under Sections 269 and 270 of I.P.C.

3.I will not fault the respondent for having registered the impugned F.I.R. 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 also closed.

Sd/-

Assistant Registrar (CS III)

// 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 Sub Inspector of Police,
Eral Police Station,
Thoothukudi District.

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

Crl.O.P.(MD) No.4255 of 2022

04.03.2022

MGJ(16.03.2022) 2P 3C