



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P. (MD)No.4395 of 2022

Mani

...Petitioner

Vs.

1. State represented by
The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
(Crime No.1076 of 2021)

2. Egambaram ... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the FIR in Crime No.1076 of 2021 on the file of the 1st respondent police and quash the same as illegal in so far as the petitioner concerned.

For Petitioner : Mr.T.Lenin Kumar

For Respondent No.1: Mr.R.M.Anbunithi
Additional Public Prosecutor(Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.1076 of 2021 on the file of the 1st respondent police.

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

3.On 13.09.2021, the petitioner opened and run the TASMAL bar in violation of the lock down restrictions. Hence, Crime No.1076 of 2021 was registered on the file of first respondent police station for the offences under Sections 183, 448 IPC r/w 4(1)(k) & 24 of Tamil Nadu Prohibition Act.

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.

Sd/-

Assistant Registrar (CS-I)

// 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,
Aranthangi Police Station,
Pudukottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN

Crl.O.P. (MD)No.4395 of 2022

10.03.2022

sb (CO)

TR(30.03.2022) 2P 3C