



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

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

Crl.O.P. (MD)No.4549 of 2022

WEB COPY

R.Prasanna Kumar

...Petitioner/Sole Accused
Vs.

1. The State

The Inspector of Police,
Kottar Police Station,
Kanyakumari.
(Crime No.164 of 2020)

2. Senthilkumar B T

... Respondents/Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records from the 1st respondent police in Crime No.164 of 2020 dated 28.03.2020, and quash the same as devoid of merits against the petitioner.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.R.M.Anbunithi

R1 Additional Public Prosecutor (Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.164 of 2020 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 28.03.2020, the petitioner roamed in his two wheeler in violation of the lock down restrictions. Hence, Crime No.164 of 2020 was registered on the file of first respondent police station for the offences under Sections 188, 270 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.

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /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,
Kottar Police Station,
Kanyakumari.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN

Crl.O.P. (MD)No.4549 of 2022

10.03.2022

NSN(CO)

GC(24.03.2022) 2P 3C