



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4666 of 2022

Nivas Mydeen

... Petitioner/
Accused No.1

Vs.

1. The State represented through
The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.67 of 2020)

... 1st Respondent/
Complainant

2. P.Manikandan,
Sub Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District - 627 425

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Crime No.67 of 2020 on the file of the first respondent police and to quash the same insofar as the petitioner/Accused No.1 is concerned.

For Petitioner : Mr.C.Saravanakumar
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)
for R.1

ORDER

This Criminal Original Petition has been filed to quash the FIR as against the petitioner / Accused No.1 in Crime No.34 of 2020 on the file of the first respondent for the alleged offences under Sections 188 and 269 IPC.

2. The case of the prosecution is that the second respondent along with other police officials was on patrolling duty during the lockdown period of Covid-19 pandemic situation, at that time the



petitioner and other accused persons violating the lockdown rules without following the Covid-19 procedures. Hence the first respondent had registered the case against the 5 persons including the petitioner / Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Criminal Side) appearing for the first respondent.

4. I will not find fault with 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 (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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,
V.K.Puram Police Station,
Tirunelveli District.
2. The Sub Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District - 627 425
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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