



WEB COPY

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.4568 of 2022

&

Crl.M.P.(MD)No.3223 of 2022

Balajikumar

...Petitioner/Sole Accused

Vs.

1. The State Represented by
The Inspector of Police,
Srivilliputhur Town Police Station,
Viruthunagar District.
(Crime No.382 of 2020) ... 1st Respondent / Complainant
2. The State represented by
The Sub Inspector of Police,
Srivilliputhur Town Police Station,
Viruthunagar District.
(Crime No.382 of 2020) ... 2nd Respondents / Defacto complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to Crime No.382 of 2020 dated 25.04.2020 on the file of the Inspector of Police, Srivilliputhur Town Police Station, Viruthunagar District and quash the same.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Criminal Side)
for R1 & R2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.382 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.The petitioner roamed in his two wheeler, in violation of the lock down restrictions on 25.04.2020. Hence, Crime No.382 of 2020 was registered on the file of respondent police station for the offences under Sections 188, 269 of I.P.C.



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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// 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 State Represented by
The Inspector of Police,
Srivilliputhur Town Police Station,
Viruthunagar District.
2. The State represented by
The Sub Inspector of Police,
Srivilliputhur Town Police Station,
Viruthunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.SELVAKUMAR, Advocate (SR-11585[F] dated 11/03/2022)

ORDER IN

Crl.O.P. (MD)No.4568 of 2022
& Crl.M.P. (MD)No.3223 of 2022

10.03.2022

srr(CO)

TR(30.03.2022) 2P 5C