



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

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

Crl.O.P.(MD) No.4757 of 2022

in

Crl.M.P.(M) No. 3337 of 2022

Loyola

...Petitioner/ Accused No.5
Vs.

1. The State rep. by
The Inspector of Police,
Muthiahpuram Police Station,
Muthiahpuram,
Thoothukudi District.
(Crime No. 144 of 2021)

... Respondent/ Complainant

2. A.Satheesh
The Sub Inspector of Police-3645,
Muthiahpuram Police Station,
Thoothukudi District.

...Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the First Information Report in connection with Crime.No. 144 of 2021 on the file of the Insepctor of Police, Muthiahpuram Police Station, Muthiahpuram, Thoothukudi District and subsequently quash the same Accused 5 as illegal, erroneous and devoid of merits forthwith.

For Petitioner : Mr.J.Sankara Pandian

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

ORDER

This petition has been filed seeking direction to the quash the FIR in Crime No.144 of 2021, on the file of the first respondent.

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

2.The petitioner along with others were found roaming in the vehicle, namely, Mahidra XUV 500 bearing Registration No.TN 69 BK 7198 in violation of the lock down restrictions. Hence, the respondent police enquired and came to know that they had been



enjoyed the victory of their Political Party namely, DMK. Therefore, Crime No.144 of 2021 was registered on the file of first respondent for the offences under Sections 188 and 269 of IPC.

3.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.

4.Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Muthiahpuram Police Station,
Muthiahpuram,
Thoothukudi District.
2. The Sub Inspector of Police-3645,
Muthiahpuram Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RD(24.03.2022) 2P 4C