



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM:

WEB COPY

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

Crl.O.P.(MD) No.5362 of 2022

and

Crl.M.P(MD)No.3806 of 2022

Avudaiammal

...Petitioner/Accused No.233

Vs.

1. State through

The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.

(Crime No.682 of 2020) ... Respondent/Complainant

2. Muthuramalingam

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records and quash the proceeding of the FIR in Crime No. 682/2020 dated 06.11.2020 on the file of the R1 in so far as the petitioner is concerned/accused no. 233.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.R.M.Anbunithi

No.1 Additional Public Prosecutor

ORDER

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

2. The petitioner along with other accused unlawfully assembled amidst covid pandemic for Radha Yathirai without getting any permission in violation of the lock down restrictions on 06.11.2020. Hence, Crime No.682 of 2020 was registered on the file of respondent police for the offences under Sections 143,283 and 270 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 in so far as the petitioner and other accused persons, who are not parties before this Court. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

To

1. The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.

2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.PRABHU, Advocate (SR-13955[F] dated 23/03/2022)

Crl.O.P.(MD) No.5362 of 2022

and

Crl.M.P(MD)No.3806 of 2022

23.03.2022

sb(CO)

GC(01.04.2022) 2P 4C