



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

WEB COPY

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

Crl.O.P.(MD) No.5528 of 2022

Suresh Kumar

...Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
(Crime No.260 of 2021)

2. The Sub Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the impugned FIR in Cr.No.260/2021 dated 29.05.2021 on the file of the 1st Respondent police and quash the same.

For Petitioners : Mr.N.Karthik Kanna

For Respondents : Mr.R.M.Anbunithi
No.1 & 2 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 came out of his house unnecessarily in violation of the lock down restrictions on 29.05.2021. Hence, Crime No.260 of 2021 was registered on the file of respondent police for the offences under Sections 269, 270 of IPC and Section 3 of Epidemic Disease Act.

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.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

To

1. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
2. The Sub Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

CrI.O.P. (MD) No.5528 of 2022
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