



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6395 of 2022

Mohammed Bakrudeen

... Petitioner/Accused Mo.1

Vs

1. State represented through
The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
(In Crime No.917 of 2021)

... Respondent-1/Complainant

2. R.Parthasarathy

... Respondent-2/Defecto
Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to all for the records of impugned FIR in Crime No. 917 of 2021 on the file of the respondent police station and quash the same as illegal as against the petitioner.

For Petitioner : Mr.A.Mohamed Riyaz

For Respondent : Mr.R.M.Anbunithi,

R1

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.917 of 2021 on the file of the respondent police

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

3.The petitioner and others, belong to political party, unlawfully assembled in public place in violation of the lock down restrictions on 06.12.2021. Hence, a case in Crime No.917 of 2021 was registered on the file of respondent police station for the offences under Sections 143, 269 of I.P.C., and Section 3 of the Epidemic Diseases Act, 1897.

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.

Sd/-

Assistant Registrar (AS)

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// 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 Inspector of Police,
Vedasandur Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) . No.6395 of 2022

Date : 06/04/2022

SVN(CO)

KB(25.04.2022) 2P 3C