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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2022

CORAM:

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

Crl.O.P.(MD) No.6104 of 2022

and

Crl.M.P(MD) No.4237 of 2022

Karthikraja

...Petitioner/Accused No.1

Vs.

The State through by

1.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
(In Crime No.176/2021)

2. A.Alwin

The Sub-Inspector of Police,
69, Valliyoor Police Station,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records relating to the FIR in Crime No.176 of 2021 on the file of the 1st respondent and quash the same as against these petitioner/accused no.1 is concern.

For Petitioners : Mr.C.Susi Kumar

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 roamed around in his two wheeler bearing Reg. No. TN 72 BD 5139 in violation of the lock down restrictions on 25.05.2020. Hence, Crime No.176 of 2021 was registered on the file of respondent police for the offences under Section 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(T&P)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

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

Crl.O.P.(MD) No.6104 of 2022
and
Crl.M.P(MD) No.4237 of 2022
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sg(CO)

TR(11.04.2022) 2P 3C