



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.6785 of 2022 and
CRL.M.P.(MD)No.4686 of 2022

WEB COPY

Muthuselvam

... Petitioner

Vs.

1. The State rep. By,
The Inspector of Police,
Sipcot Police Station
Manamadurai Taluk
Sivagangai District

2. Ramesh
Head Constable
Sipcot Police Station
Manamadurai Taluk
Sivagangai District

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire relevant records connected to the First Information Report in Crime No.82 of 2021 dated 19.05.2021 pending on the file of the first respondent police and quash the same as illegal as against the petitioner.

For Petitioner	: Mr.R.Senthil Kumar
For Respondent	: Mr.R.M.Anbunithi
No.1	Additional Public Prosecutor.

O R D E R

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

2. The petitioner was roaming in his two wheeler without any reason in violation of the lock down restrictions on 19.05.2021 Hence, Crime No.82 of 2021 was registered on the file of respondent police for the offences under Sections 269,270 of IPC and Section 134(1)(a) of Tamil Nadu Public Health Act, 1939.

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 (P&A)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

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,
Sipcot Police Station
Manamadurai Taluk
Sivagangai District

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

+1 CC to M/s.R. SENTHIL KUMAR, Advocate (SR-18036[F] dated
12/04/2022)

Cr1.O.P.(MD)No.6785 of 2022
12.04.2022

AM(CO)

KB(26.04.2022) 2P 4C