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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

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

Crl.O.P.(MD) No.6247 of 2022

and

Crl.M.P(MD) No.4321 of 2022

Darvin

...Petitioner/ Accused No.7

Vs.

State through

The Inspector of Police,
Muthaiyapuram Police Station,
Thoothukudi District.

(In Crime No.143 of 2021)

...Respondents/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of the FIR in Crime No.143 of 2021 on the file of the respondent dated 02/05/2021 and quash the same against the petitioner as illegal.

For Petitioners : Mr.J.Joseph Zinoson

For Respondent : Mr.R.M.Anbunithi
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 came in a Toyota Fortuner Car bearing Reg. No. TN 69 AP 7 with Sivalakshmis 10000 walla triple one brand with (111) Trade Mark 2 boxes of crackers to celebrate the election result in violation of the lock down restrictions on 02.05.2021. Hence, Crime No.143 of 2021 was registered on the file of respondent police for the offences under Sections 188,269 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 in so far as the petitioner alone. This criminal original petition



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is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Muthaiyapuram Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J. JOSEPH ZINOSON, Advocate (SR-16530[F] dated
05/04/2022)

Crl.O.P.(MD) No.6247 of 2022
and
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RD(08.04.2022) 2P 4C