



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

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

Crl.O.P. (MD)No.6378 of 2022

and

Crl.M.P(MD) No.4427 of 2022

Manikandan

...Petitioner/ Accused No.9

Vs.

1.The State represented by
The Inspector of Police,
Sivagangai Police Station,
Sivagangai District.
(Crime No.1040/2020)

... 1st Respondent/ Complainant

2. Saravanan,
Village Administrative Officer,
Paiyur Group,
Sivagangai District.

... 2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the case in Crime No.1040/2020 on the file of the Inspector of Police, Sivagangai Town Police station, Sivagangai District and Quash the same in so far as petitioners concerned.

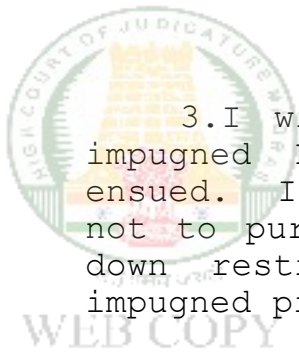
For Petitioner : Mr.C.Ezhilarasu

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal side)
for R1 & R2

ORDER

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

2.The petitioner and others, belongs to Bharathiya Janatha Party demonstrated against the refusal of Vel Yathra at Thiruthani in violation of the lock down restrictions on 06.11.2020. Hence, Crime No.1040 of 2020 was registered on the file of Sivagangai Town police station for the offences under Sections 143, 269, 270, 283, 290 of I.P.C., 134 of Tamil Nadu Public Health and Epidemic Disease Act, 1939, Section 3 of the Epidemic Diseases Act, 1897 and 51(b) of Disaster Management Act, 2005.



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 (CO)

// 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,
Sivagangai Police Station,
Sivagangai District.
2. The Village Administrative Officer,
Paiyur Group,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C. EZHILARASU, Advocate (SR-16872[F] dated
06/04/2022)

Crl.O.P. (MD)No.6378 of 2022
and
Crl.M.P(MD) No.4427 of 2022
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