



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.7133 of 2022 and

CRL.M.P. (MD)No.4900 of 2022

Manikandan

... Petitioner/Rank Not Known

Vs.

1. The State rep. By,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.1037 of 2020)

...1st Respondent/Complainant

2. Muthuselvam,
Village Administrative Officer,
Kanjirangal,
Sivagangai District.

...2nd Respondents/Defacto
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Cr.No.1037 of 2020 on the file of the Inspector of Police, Sivagangai Town Police Station, Sivagangai District and quash the same in so far as petitioner's concerned.

For Petitioner	: Mr.C.Ezhilarasu
For Respondent	: Mr.R.M.Anbunithi
No.1 & 2	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 along with other accused conducted demonstration against the refusal of Vel Yathra at Thirutani in violation of the lock down restrictions on 06.01.2020. Hence, Crime No.1037 of 2020 was registered on the file of respondent police for the offences under Sections 143,269,270,283,290 of IPC and 134 of TN Public Health Epidemic Disease Act 1939 and Section 3 of Epidemic Disease Act, 1879 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 (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Town Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C. EZHILARASU, Advocate (SR-19880[F] dated 20/04/2022)

Cr1.O.P. (MD) No.7133 of 2022
19.04.2022

SG(CO)
KB(28.04.2022) 2P 4C