



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

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

CRL OP(MD). No.6408 of 2022

WEB COPY

Thivakar @ Divakar

... Petitioner/Sole Accused

Vs

1. The State represented by
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
(Crime No.186 of 2020)

... Respondent/Complainant

2. Ravichandran

... Respondent/
Defacto Complainant

PRAYER :- Criminal Original Petition filed under Section 482 Cr.P.C.to call for the entire records pertaining to the FIR in Crime No.186/2020 pending on the file of the inspector of Police Suchindram Police Station, Kanyakumari District and quash the same.

For Petitioner : Mr.B.Michel Sebastin

For Respondent : Mr.R.M.Anbunithi,
R1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.186 of 2020 on the file of the respondent police

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

3.The petitioner has roamed in public place in violation of the lock down restrictions on 03.04.2020. Hence, a case in Crime No.186 of 2020 was registered on the file of respondent police station for the offences under Sections 188, 271 of I.P.C.

4.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.



5. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// 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 State represented by
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

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

+1 CC to M/s.B. MICHEAL SEBASTIN, Advocate (SR-17270[F] dated 07/04/2022)

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Date : 06/04/2022

MGJ(21.04.2022) 2P 4C