



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.6772 of 2022

Brixton @ Brikston

... Petitioner/Accused No.49

Vs.

The Inspector of Police
Kottar Police Station
Kottar
Kanyakumari District

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.785 of 2021 on the ifle of the respondent police and to quash the same as against the petitioner.

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.R.M.Anbunithi
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 were staging a demonstration in violation of the lock down restrictions on 27.09.2021. Hence, Crime No.785 of 2021 was registered on the file of respondent police for the offences under Sections 143,341,269,270,283,290 of IPC and Section 3 of Epidemic Disease Act, 1987.

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 and this criminal original petition is allowed.

Sd/-

Assistant Registrar(CS-)

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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
Kottar Police Station
Kottar, Kanyakumari District

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

+1 CC to M/s.N. PRAGALATHAN, Advocate (SR-18273[F] dated 12/04/2022)

Cr1.O.P.(MD)No.6772 of 2022
12.04.2022

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TR(27.04.2022) 2P 4C