



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM:

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

Crl.O.P.(MD) No.6925 of 2022

and

Crl.M.P(MD) No.4780 of 2022

Y.Mariaselvan

...Petitioner/Accused No.4

Vs.

1. The State through
The Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
(Crime No.508/2020)

... Respondent/Defacto
Complainant

2. M.Arunachalam,
The Sub Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.

...Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the entire records connected in impugned FIR in Crme No.508 of 2020, dated 16.12.2020 on the file of the first respondent and quash the same as illegal against the fourth accused.

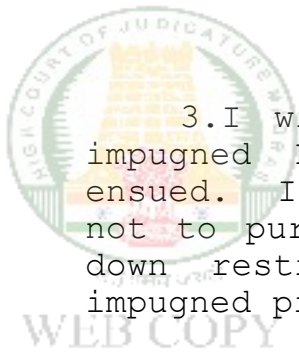
For Petitioner : Mr.R.Algumani

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Crl.Side)

ORDER

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

2.On 16.12.2020, the petitioner herein and others had conducted an agitation with an objective of supporting the farmers, who were involved in protest, which had been held at New Delhi for the withdrawal of the Three Farm Laws. Hence, Crime No.508/2020 was registered on the file of respondent police under Sections 143, 269, 270, 283, 290 and 341 of I.P.C. and Section 73, 71(xi) of the Tamil Nadu Police Act, 1888.



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 (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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,
Nesamony Nagar Police Station,
Kanyakumari District.
2. The Sub Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RK(09/05/2022) 2P 4C