



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.04.2022
CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

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Crl.O.P.(MD)No.7458 of 2022
and
CRL.M.P.(MD)No.5082 of 2022

Jenifer Raja @ Jeniba

... Petitioner/Sole Accused

Vs.

The State rep. by,
The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(Crime No.337 of 2021)

... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Crime No.337 of 2021 on the file of the respondent police station, Kanyakumari District and to quash the same.

For Petitioner	: Mr.G.Cenil
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 learned counsel for the petitioner submitted that the petitioner went to medical store to buy medicine for his father who suffered severe back pain. While returning from medical store, the respondent police blocked him and enquired him and seized the vehicle of the petitioner bearing Registration No.TN-74-AK-5558. Thereafter FIR was registered in Cr.No.337 of 2021 on the file of Colachel Police Station under Section 269 of IPC and Section 3 of Epidemic Diseases Act 1897.

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.

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Sd/-

Assistant Registrar(C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G. CENIL, Advocate (SR-20581[F] dated 22/04/2022)

Crl.O.P. (MD)No.7458 of 2022
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SA(25.05.2022) 2P 4C