



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

WEB COPY

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

Crl.O.P.(MD).No.8310 of 2022

AND

Crl.M.P(MD).No.5684 of 2022

Manikandan

...Petitioner / Sole Accused

Vs.

State Rep by
The Sub - Inspector of Police,
ST Kulam Police Station,
Kanyakumari District.
(Crime No.227 of 2020)

...Respondent / Complainant

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.227 of 2020, dated 23.04.2020, on the file of the Respondent Police and quash the same.

For Petitioner : Mr.K.Sudalaiyandi

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

2.On 23.04.2020, in violation of the lock down restrictions, the petitioner went outside. On seeing the respondent police, the petitioner left his two wheeler and escaped from the place. Hence, Crime No.227/2020 was registered on the file of respondent police for the offences under Sections 188 and 269 of I.P.C.

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 also closed.

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Sd/-

Assistant Registrar

// 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 Sub - Inspector of Police,
ST Kulam Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.SUDALAIYANDI, Advocate (SR-22789[F] dated 29/04/2022)

Crl.O.P. (MD) .No.8310 of 2022
29.04.2022

MK/30.05.2022/2P/4C