



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.8206 of 2022 and

CRL.M.P.(MD)No.5538 of 2022

WEB COPY

A.Dhinesh

... Petitioner

Vs.

1. The State rep. By,
The Inspector of Police,
Kottampatti Police Station
Madurai District

2. Prabakaran
VAO, Karungulam Village
Melur, Taluk
Madurai District

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records and to quash the FIR in Crime No. 138 of 2019 on the file of the first respondent police and quash the same as against the petitioner/accused

For Petitioner : Mr.N.Saravanakumar

For Respondent : Mr.B.Thanga Aravindh
No.1 Government Advocate(Crl.side)

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 gathered for protest and blocked the National High ways to show their grievance for protest and blocked the National Highways to show their grievance towards an abusive whatsapp audio's insulting their community, spreaded over whatsapp in violation of the lock down restrictions on 21.04.2019. Hence, Crime No.138 of 2019 was registered on the file of respondent police for the offences under Sections 143,341,188 of IPC

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 (CS-II)

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// True Copy //

/ /2022

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,
Kottampatti Police Station
Madurai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.8206 of 2022
29.04.2022

RD(19/05/2022) 2P 3C