



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.8103 of 2022

M.Raja Amuthan

... Petitioner/Accused No.3

Vs.

1. The Inspector of Police,
Sivagangai Town Police Station
Sivagangai.
(Crime No.1037/2020)

... Respondent No.1/Complainant

2. Muthuselvam
S/o.Krishnan,
Village Administrative Officer,
Kanjirangal,
Sivagangai District.

... 2nd Respondent/Defacto
Complainant

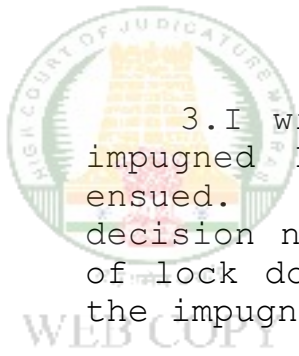
Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Crime No.1037/2020 on the file of the first respondent and quash the same as illegal as against the petitioner/Accused No.3 is concerned.

For Petitioner	: Mr.P.Suresh
For Respondents	: 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 respondents.

2.The second respondent lodged a complaint alleging that the petitioner and 4 others had conducted a demonstration in the public place, condemned the denial of permission for Vel Yathirai at Thiruthani and also they had raised slogans against the Government. It is further alleged that the act of the petitioner and others had contravened to the Covid-19 Pandemic protocol. Hence, Crime No.1037/2020 was registered on the file of the first respondent for the offences under Sections 143, 269, 270, 283 and 290 of I.P.C., Section 134 of Tamil Nadu Public Health Epidemic Disease Act, 1939, Section 3 of the Epidemic Diseases Act, 1897 and Section 51(b) of Disaster Management Act, 2005.



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.

Sd/-

Assistant Registrar (C.O.)

// 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,
Sivagangai Town Police Station,
Sivagangai.
2. Village Administrative Officer,
Kanjirangal, Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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USK/18.05.2022/2P/4C