



WEB COPY

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.8125 of 2022

and

Crl.M.P(MD)No.5478 of 2022

Sridhar

... Petitioner/Accused No.1

Vs.

1. The Sub Inspector of Police,
Courtalam Police Station,
Tenkasi District.
(Crime No.77/2022)

... 1st Respondent/1st Respondent

2. Shanmugavel,
The Sub Inspector of Police,
Courtalam Police Station,
Tenkasi 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 FIR in Crime No. 77/2022, dated 22.02.2022, on the file of the first respondent police and quash the same as illegal as against the petitioner/Accused No.1.

For Petitioner : Mr.C.Iyyapparaj

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.On 22.02.2022, the local body election was conducted and result was announced. At that time, the petitioner bursted crackers in violation of Government Promulgation Order. Therefore, the second respondent lodged a complaint, then an FIR in Crime No.77/2022 has been registered on the file of the first respondent for the offences under Sections 143 and 286 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, the connected miscellaneous petition is also closed.

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Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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

Crl.O.P. (MD)No.8125 of 2022

Date:28.04.2022

SA(18.05.2022) 2P 3C