



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.8488 of 2022

and

Crl.M.P(MD)No.5759 of 2022

Karthik

...Petitioner/Sole Accused

Vs.

1.The State through

The Inspector of Police,
Allinagaram Police Station,
Theni District.

(In crime No.591 of 2020) ...1st Respondent/Complainant

2.Gowthaman,

Sub-Inspector of Police,
Allinagaram Police Station,
Theni District.

...2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No.591/2020, dated 23.04.2020, on the file of the first respondent police and to quash the same as illegal.

For Petitioner : Mr.K.Sivabalan

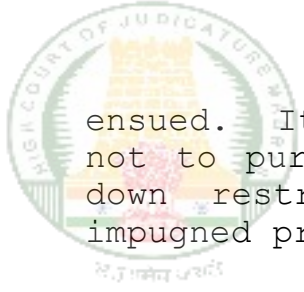
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

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

2.On 09.04.2020, the respondent police found that the petitioner without following COVID-19 Protocol and in violation of lock down restrictions, roamed using his two-wheeler bearing registration No.TN 59 BZ 9868. . Hence, Crime No.591 of 2020 was registered on the file of respondent police for the offences under Section 269 of I.P.C., Section 3 of the Epidemic Diseases Act, 1897 and Section 51 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Allinagaram Police Station,
Theni District.

2.The Sub-Inspector of Police,
Allinagaram Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-22746[F] dated 29/04/2022)
Crl.O.P. (MD) .No.8488 of 2022
29.04.2022

MGJ(24.05.2022) 2P 5C