



Crl.O.P.(MD) No.20169 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24.11.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.20169 of 2022

and

Crl.M.P.(MD) No.13956 of 2022

Arumugam

...Petitioner

vs

1.The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
Crime No.292 of 2021

2.Rajadurai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to call for the records pertaining to the proceedings case in Crime
No.292 of 2021 on the file of the 1st Respondent.

For Petitioner : Mr.A.S.Krishnan

For R1 : Mr.B.Nambi Selvan
Additional Public Prosecutor.



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ORDER

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This Criminal Original Petition had been filed to quash the First Information Report in Crime No.292 of 2021 on the file of the first Respondent.

2.Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor for the first Respondent.

3.The petitioner herein was roaming in the road by using his two wheeler at the time of prohibition due to COVID-19 pandemic. Hence, a case in Crime No.292 of 2021 for the offences punishable under Section 269 of IPC had been registered. This petition is filed to quash the First Information Report in Crime No.292 of 2021.

4.This Court does not fault the first 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.



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In these circumstances, continuance of the impugned prosecution is not warranted.

5. Therefore, the impugned First Information Report is quashed. This Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Internet: Yes/No
Index: Yes/No
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24.11.2022

To

1. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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24.11.2022