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CrI.O.P.(MD)No.8015 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.8015 of 2023
and CrI.M.P.(MD).No.7020 of 2023

Mohamed Ishak Hussain @ Hussain

... Petitioner/Accused No.3

Vs.

1.The State represented by the
Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.331 of 2020)

... 1st Respondent/Complainant

2.Dayananth

... 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 First Information report in Crime No. 331 of 2020 on the file of the 1st respondent and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.K.Navaneetharaja

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor



ORDER

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This petition is filed seeking quashment of Crime No.331 of 2020 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 case of the petitioner is that on 16.05.2020, the petitioner along with some other persons gathered to protest opposing opening of a TASMAL liquor outlet, without getting prior permission and without wearing mask at the time of prohibition due to COVID-19 pandemic. Hence, a case in Crime No.331 of 2020 for the offences punishable under Section 143, 269 and 341 of IPC has been registered. The present petition is filed to quash the First Information Report in Crime No.331 of 2020.

4.It is brought to the notice of this Court that the Government of Tamil Nadu has taken a policy decision to drop all the cases, which was registered against the public during the pandemic period for violation. So nothing is going to be served by directing the petitioner to undergo the trial process or the investigation as the case may be.



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5. Accordingly, this criminal original petition is allowed and the FIR in Crime No.331 of 2020 registered on the file of the first respondent in respect of the petitioner is concerned is hereby quashed. Consequently, connected miscellaneous petition is closed.

27.04.2023

Index : Yes/No

Internet : Yes/No

TM

To

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



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G.ILANGOVAN. J.

TM

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