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CrI.O.P.No.3788 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3788 of 2024

Pugazhendhi

... Petitioner

Vs.

State of Tamilnadu Rep. by its

1.The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
(Cr.No.536 of 2021)

2.Tamilselvan

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records relating to the proceedings in Crime No.536 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.K.Arjun
For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)

O R D E R

This petition has been filed to call for the records in Crime No.536 of 2021 on the file of the first respondent and quash the same.

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2.The case of the prosecution is that during the pandemic period, prohibitory orders were issued under Section 144 of Cr.P.C. and there was a total lockdown. However, on 28.05.2021 at about 12.20 p.m., the petitioner was found roaming around in the road with his two wheeler. Based on the complaint given by the second respondent, FIR has been registered for offence under Section 188 of IPC and Section 3 of Epidemic Diseases Act, 1897.

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

4.Taking into consideration the facts and circumstances of the case and also the fact that no serious offence has been committed by the petitioner and this incident had taken place during the pandemic period, this case can be brought within the scope of Section 95 of IPC. Hence, no useful purpose will be served in continuing with the investigation in this case.

5.In the light of the above discussion, the FIR in Crime No.536 of



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2021 pending investigation on the file of the first respondent is hereby quashed and this criminal original petition is allowed.

20.02.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
(Cr.No.536 of 2021)
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N.ANAND VENKATESH,J.
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