



Crl.O.P.No. 3882 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 3882 of 2025
and Crl.M.P.No.2512 of 2025

Halith @ Halinath Raja Haja Moideen Petitioner

Vs

1. State rep by
The Sub Inspector of Police
Managalampet Police Station,
Cuddalore.
Crime No.118 of 2020.

2. Raja,
Health Inspector,
Mangalampet Primary Hospital,
Mangalampet,
Virudhachalam TK.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the case in Crime No.118 of 2020 on the file of the 1st respondent herein and quash the same as illegal.

For Petitioner : Mr.I.Abdul Basith

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

This petition has been filed to quash the FIR in Crime No. 118 of 2020 dated 02.04.2020 on the file of the first respondent Police.

2. Heard the learned counsel appearing on either side and perused the materials placed on records.

3. The case of the prosecution is that when the first respondent was planning to collect information with regard to symptoms of corona disease, the petitioner along with other accused abused the first respondent and stashed the register and tore the same. Hence, a complaint was registered in Crime No.118 of 2020 on the file of respondent police for the offences under Sections 179, 188, 270, 294(b), 353 and 427 of IPC.

4. It 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



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these circumstances, continuance of the impugned prosecution is
unwarranted.

5. Therefore, the impugned First Information Report in Crime No. 118 of 2020 registered on the file of the first respondent is hereby quashed and the Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed.

14.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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To

1. The Sub Inspector of Police
Managalampet Police Station,
Cuddalore.

2. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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