

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.20029 of 2015
and M.P.No.1 of 2015

1.C.Muthuvel
2.C.Maniarasu

... Petitioners

Vs.

1. State by Inspector of Police,
Palacode Police Station,
Dharmapuri District.
(Crime No.39 of 2006)

2. Thangaraj

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to call for the records in Crime No.39 of 2006 on the file of the Inspector of Police, Palacode Police Station, Dharmapuri District and quash the proceedings in so far it relates to the petitioners herein.

For Petitioner : Mr.D.Sivashanmugam
For Respondents: Mr.C.Emalias [for R1]
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to quash the proceedings in Crime No.39 of 2006 on the file of the respondent Police.

2. Today, Mr.C.Somanrajan, Inspector of Police, Palacode Police Station (Law & Order), Dharmapuri District is present. He has filed a counter, wherein in Paragraph 7, it is stated as follows :

"7. It is submitted that after completion of the detailed investigation, and also based on the collection of material evidences, on 15.04.2006, Tr.Sampath, the then Inspector of Police laid the charge sheets and submitted the same against the petitioners/accused (A1 to A14) before the Judicial Magistrate Court, Palacode. But, the said court has returned the above charge sheet with an instruction to rectify/verify the age of the accused persons.

Hence after obtaining the age certificate of the petitioners/accused (A12 & A13) it is revealed that at the time of occurrence, the petitioners/accused (A12 & A13) are under the age of 18 years, hence I have rectified the age of the accused persons in the charge sheet and split the same; on 12.08.2015, submitted the charge sheets before the Judicial Magistrate Court, Palacode for the accused persons A1 to A11 & A14) and Juvenile Justice Board, Dharmapuri for the petitioners/accused (A12 & A13). But the said courts have not taken on file so far."

3. In view of the fact that, final report has been filed, this Criminal Original Petition is closed with liberty to the petitioners to work out their remedies in the manner known to law. Consequently, connected miscellaneous petition is closed.

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s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Palacode Police Station,
Dharmapuri District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.D.Sivashamugam, Advocate SR 45509

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Cr1.O.P.No.20029 of 2015

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