

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.5947 of 2017

1.A.Veliappan (minor)
represented by mother guardian
A.Chitra

2.Sathish (minor)
represented by mother guardian
S.Kuppu. ... Petitioners/Accused 1 & 2

Vs

1. The Deputy Superintendent of Police,
Cheyyar, Cheyyar Taluk,
Thiruvannamalai District.
2. The Inspector of Police,
Cheyyar Police Station,
Cheyyar, Thiruvannamalai District. Respondents/Complainants
1 & 2
3. R.Niresh Kumar (minor)
represented by his father
Raja ...3rd Respondent/
Defacto Complainant

Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records relating to the FIR in Crime
No.944 of 2016 on the file of the respondent police herein and
quash the same.

For Petitioners : Mr.D.Jaganathan
For R1 & R2 : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed
to call for the records relating to the FIR in Crime No.944 of
2016 on the file of the respondent police herein and quash the
same.

2. The case of the petitioners is that on the basis of the complaint lodged by the third respondent / defacto complainant, a case in Crime No.944 of 2016 came to be registered against them for the alleged offences punishable under Sections 147, 294(b), 323 and 506(i) IPC and Section 3(1)(x) of SC/ST (POA) Act. Challenging the same, the present petition came to be filed.

3. According to the learned counsel for the petitioners, both the petitioners and the defacto complainant are the students and due to wordy altercation between the parties in a bus, the third respondent has lodged a false complaint against the petitioners. Learned counsel further submitted that in the event of the criminal proceedings lodged against them, being allowed to continue, it would definitely affect the career of the petitioners.

4. Heard the learned Additional Public Prosecutor, who took notice on behalf of the respondents 1 and 2.

5. In this petition, the petitioners have sought to quash the criminal proceedings in Crime No.944 of 2016 pending on the file of the second respondent police, against them. However, this Court is of the view that since the petitioners as well as the defacto complainant are students and the lodging of the present FIR emanated out of wordy quarrel between the parties, the first respondent is directed to issue summons to both the parties for enquiry and on their appearance, conduct enquiry and proceed further as per law. As both the parties are students, the first respondent is further directed to give appropriate advice to them.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rk

To

1. The Deputy Superintendent of Police,
Cheyyar, Cheyyar Taluk,
Thiruvannamalai District.

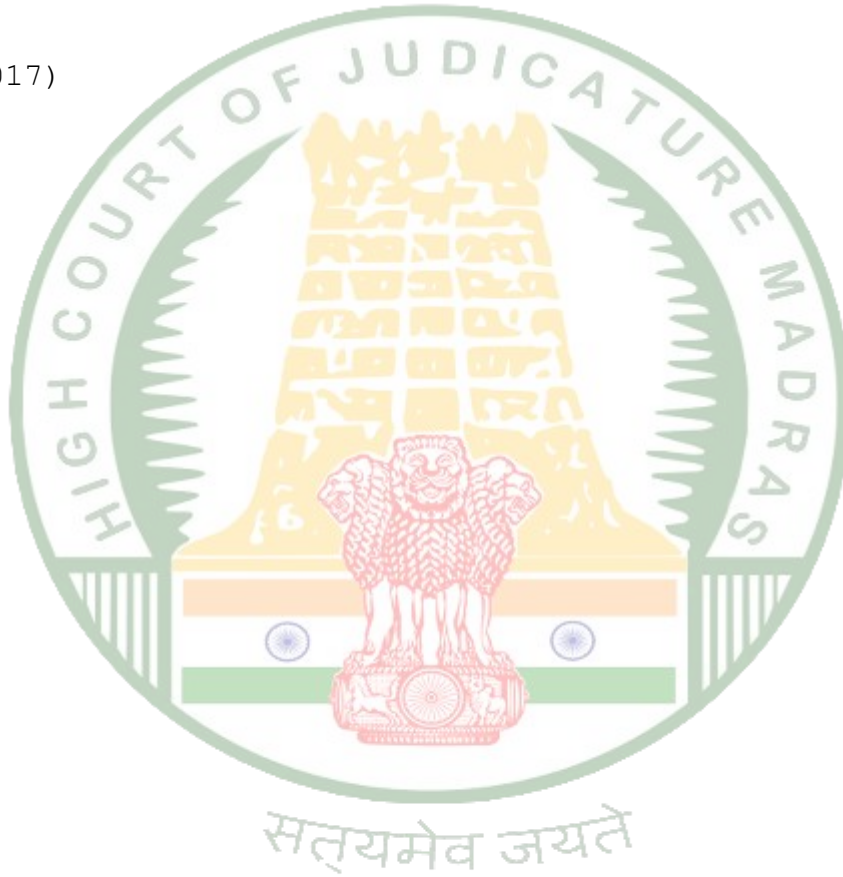
2. The Inspector of Police,
Cheyyar Police Station,
Cheyyar, Thiruvannamalai District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D. Jaganathan, Advocate Sr. 21369

Cr1.O.P.No.5947 of 2017

KK (CO)
VR (25/4/2017)



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