



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.27804 of 2018 &
CrI.M.P.No.16082 of 2018

1.P.Vijay
2.Gokul
3.Ranjith
4.V.Infant Raj

... Petitioners

Vs.

1.The State,
Represented by its Inspector of Police,
TI, Ambattur Police Station,
Ambattur.
(Cr.326 of 2015)

2.Bellarmeen

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records of the proceedings in P.R.C.No.3 of 2018 on the file of the Judicial Magistrate, Ambattur and to quash the same.

For Petitioner : Mr.Govind Chandrasekhar
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in P.R.C. No.3 of 2018, pending on the file of the Judicial Magistrate, Ambattur.

2.The respondent Police have filed a final report against the petitioners for an offence under Section 3(1) of Tamil Nadu Public Property Damage Loss Act. The petitioners are all college students. The learned counsel for the petitioners would submit that these petitioners have been falsely roped in this case and due to the pendency of this case, the very future of the petitioners would be in peril.



3.The learned counsel for the petitioners would further submit that on an early occasion, this Court dealt with a similar case in M.Dinesh Kumar and 3 others v. State represented by the Inspector of Police, K4, Anna Nagar Police Station, Chennai and another, in CrI.O.P.No.25430 of 2016, dated 29.11.2016, involving certain college students against whom there was an FIR registered for an offence under Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992. This Court, on consideration of the facts and circumstances of the said case, quashed the FIR by imposing certain conditions. By citing this judgment, the learned counsel for the petitioners would submit that the petitioners are willing to deposit the alleged damage caused to the vehicle which has been worked out as Rs.5,000/-. The learned counsel for the petitioners would submit that this deposit will be made to the Metro Transport Corporation.

4.The learned Additional Public Prosecutor would submit that the petitioners being the college students cannot indulge in violence and therefore, if the petitioners are willing to deposit the damages before the Transport Corporation, this Court can pass appropriate orders.

5.In the facts and circumstances of the case, this Court is of the considered view that no useful purpose will be served by keeping the proceedings pending as against these petitioners. The damage has now been assessed at Rs.5,000/-. The petitioners shall deposit this amount before the Metro Transport Corporation, within a period of two weeks from the date of receipt of a copy of this order.

6.In the result, the proceedings in PRC No.3 of 2018, pending on the file of the Judicial Magistrate Court, Ambattur, is hereby quashed with the above condition. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Ambattur

2. Inspector of Police,
TI, Ambattur Police Station,
Ambattur.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. Govind Chandrasekhar, Advocate, S.R.No.87368

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GSP(20/12/2018)