

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.O.P.No.26469 of 2019

E.Durai Raj

...Petitioner

Vs

The Inspector of Police,
Ayyanavaram police Station,
Chennai District.
(Crime No.342 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records and quash the proceedings in Crime No.342 of 2019 pending on the file of the respondent police.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Ms.Saratha Devi.V

Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to call for the records and quash the proceedings in Crime No.342 of 2019 pending on the file of the respondent police.

2. The petitioner has been implicated for the offences under Sections 143, 290 of IPC r/w. 41(6) of Tamil Nadu City Police Act. The allegation in the First Information Report is that the petitioner had joined with four other students and had raised slogans and raised banners for "Pachaiyappa College, 47A - ICF route opening day."

3. The learned counsel for the petitioner submitted that the petitioner herein is a student of Dr.Ambedkar Government Law College, Pudhupakkam and not a student of Pachaiyappa College, Chennai. The averments in the First Information Report however states that the petitioner is a student of Pachaiyappa College. This seems to be factual mistake, since the petitioner's Identity Card produced before this Court, evidences that the petitioner is undergoing second year in B.A., LLB degree course in Dr.Ambedkar Government Law College, Pudhupakkam. However, the

presence of the petitioner on the occurrence is not in dispute. Nevertheless, taking into account the discrepancy of the Identity Card of the college and also the fact that the petitioner was present during the occurrence and on an overall view that the petitioner is a student, whose career should not be affected in future, on account of his involvement in a criminal case, this Court is of the view that if the proceedings could be quashed with a condition that the petitioner should undertake social service, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is directed to plant atleast 10 tree-saplings in the campus of Dr.Ambedkar Government Law College, Pudhupakkam and ensure that the trees are well watered, atleast for one month and report the action taken to the Principal, Dr.Ambedkar Government Law College, Pudhupakkam. With such a condition, the impugned FIR in Crime No.342 of 2019 on the file of the respondent police, stands quashed.

5. This Criminal Original Petition is disposed of, accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Ayyanavaram police Station,
Chennai District.

2.The Principal,
Dr.Ambedkar Government Law College,
Pudhupakkam, Chennai.

3.The Public Prosecutor,
High Court of Madras.

+1 cc to M/s.P.Muthamizh Selvakumar,Advocate Sr.No. 87432

AKM/01.12.19/2P-5C /

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