

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.O.P.No.26481 of 2019

and

Crl.M.P.No.14181 of 2019

Akash

...Petitioner/A9

Vs

1.The State rep by

The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Kancheepuram District.
(Crime No.449 of 2015)

2.J.Vijayalakshmi

...Respondents/Respondents 1 & 2

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records and quash the FIR pending investigation in Crime No.449 of 2015 on the file of the Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu, Kancheepuram District.

For Petitioner : Mr.C.Balaji

For Respondents: Ms.Saratha Devi.V for R1

Government Advocate (Crl.side)

No appearance for R2

O R D E R

This Criminal Original Petition is filed to call for the records and quash the FIR pending investigation in Crime No.449 of 2015 on the file of the Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu, Kancheepuram District.

2. The petitioner herein has been implicated for the offences under Sections 147, 447, 294(b), 353, 506(ii) of IPC r/w 3(1) of TNPPDL Act, 1934. The petitioner herein is a student of the second respondent Government Law College, Chengalpattu, who claims to have completed the Law Course and he is awaiting to enroll as a lawyer before the Bar Council of Tamil Nadu and Puduchery. The averments in the complaint implicate the petitioner along with 8 other accused persons. No specific overt act has been attributed to the petitioner herein. The

complainant has also not referred to the petitioner name, but has stated that 6 students had attacked the Principal Room, Seminar Hall and Library and caused damages. The complaint was made on 06.07.2015 at about 08.00 p.m. and the first respondent police had also registered the complaint on the same date and despatched the First Information Report to the jurisdictional Magistrate Court.

3. A perusal of the complaint does not reveal any specific overt act as against the petitioner herein. Nevertheless, the petitioner has been implicated for the offences in the impugned First Information Report.

4. Today, when the matter was called, the petitioner herein is personally present before this Court and the learned counsel representing the petitioner submitted that since the petitioner has passed out the B.L. Degree and to enroll himself as an Advocate, pendency of the First Information Report is an impediment. By taking into account the future of the petitioner's career and the consequence of a Criminal case, this Court is inclined to take a lenient view by directing him to render some social service, which could act as a reformative measure.

5. Though notice has been served on the second respondent and their name printed in the cause list, none appeared on their behalf.

6. In the light of the above observations, the petitioner is directed to plant atleast 20 tree-saplings in the campus of Government Law College, Chengalpattu and ensure that the trees are well watered by the College staff, atleast for one month and report such compliance to the Principal, Government Law College, Chengalpattu. With such a condition, the impugned FIR in Crime No.449 of 2015 on the file of the first respondent police stands quashed.

7. This Criminal Original Petition is disposed of, accordingly. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Kancheepuram District.

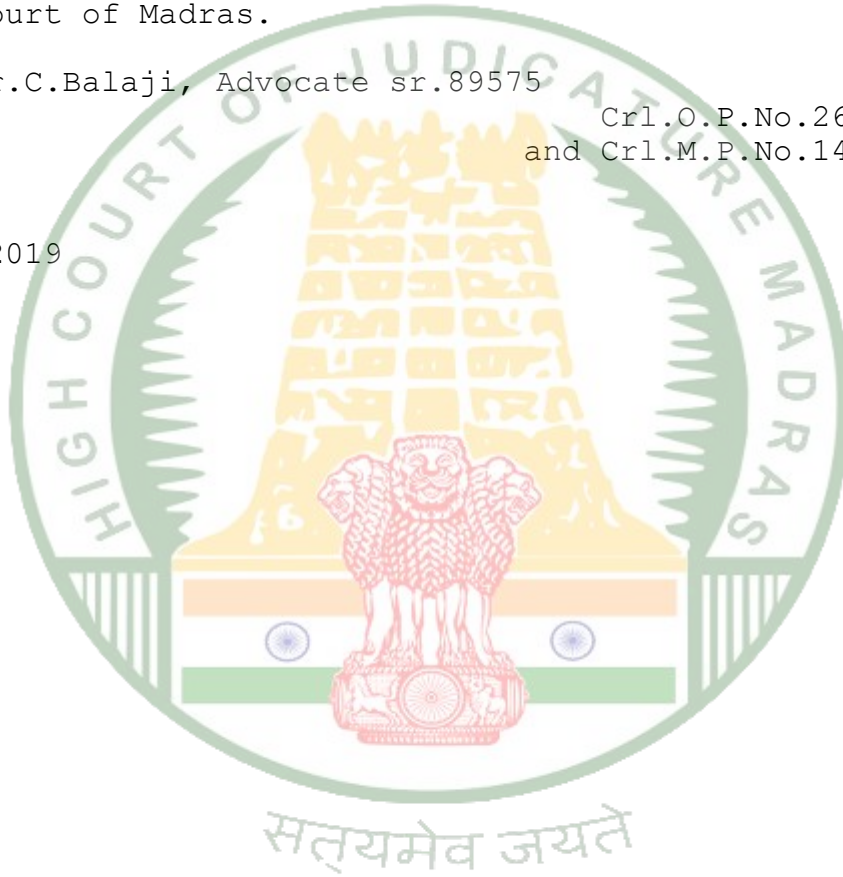
2.The Principal,
Government Law College,
Chengalpattu.

3.The Public Prosecutor,
High Court of Madras.

+2cc to Mr.C.Balaji, Advocate sr.89575

Crl.O.P.No.26481 of 2019
and Crl.M.P.No.14181 of 2019

ss(co)
nr 30/10/2019



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