



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2019

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No. 32630 of 2019

Ranjith

...Petitioner

-Vs-

1.The State

Rep.by Inspector of Police
Perambur Police Station
Nagapattinam District.
(Cr.No.18/2014)

2.Devadoss

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to S.C.No.125 of 2015 pending on the file of the Additional Assistant Sessions Judge, Mayiladuthurai and quash the same as against the petitioner.

For Petitioner	: Mr.MA.Karunanithi
For respondent	: Mr.M.Mohamed Riyaz for R1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records relating to S.C.No.125 of 2015 pending on the file of the Additional Assistant Sessions Judge, Mayiladuthurai and quash the same as against the petitioner.

2. The learned counsel for the petitioner has submitted that at the time of alleged occurrence, the petitioner was aged about 17 years, and hence, he was only a juvenile. He further submitted that since the petitioner was a juvenile, at the time of alleged occurrence, the Sessions Court has no jurisdiction to try the case.

3. If the petitioner was a juvenile, at the time of alleged occurrence, he has to file a petition before the trial Court to fix his age. Instead of that, he should not have approached this Court. Hence, this petition is liable to be dismissed.



4. In the result, this Criminal Original Petition is dismissed. However, a liberty is given to the petitioner to file a petition before the trial Court to fix his age. If any such petition is filed, the trial Court has to conduct enquiry and pass order and thereafter proceed in the above case in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Additional Assistant Sessions Judge,
Mayiladuthurai.

2.The Inspector of Police
Perambur Police Station
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.MA.Karunanithi,Advocate Sr.No. 101223

AKM/19.12.19/2P-5C /

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