

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2020

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4188 of 2020
and
Crl.M.P.No.2389 of 2020

1.Suresh
2.Gunasekaran
3.Sarath Kumar ... Petitioners

/versus/

1.The State rep by
Inspector of Police,
K-2, Aynavaram Police Station,
Chennai.

2.Natarajan,
Inspector of Police,
K-2, Aynavaram Police Station,
Chennai. ... Respondents

Criminal Original Petition has been filed under Section 482 Code of Criminal Procedure to call for the records relating to the FIR in Crime No.342 of 2019 on the file of the respondent police and to quash the same as against the petitioners.

For Petitioners : Mr.M.Rajasekaran
For Respondents : Mr.M.Mohamed Riyaz,
Addl.Public Prosecutor

O R D E R

The prayer in the criminal original petition is to call for the records relating to the First Information Report in Crime No.342 of 2019 on the file of the respondent police and quash the same.

2.The petitioners have been implicated for the offences under Sections 143, 290 r/w Section 41 of City Police Act. The allegation in the First Information Report is that the petitioners had joined with other students and had raised slogans and raised banners for "Pachaiyappa College, 47A-ICF route opening day."

3.The learned counsel appearing for the petitioners submitted that the 1st and 2nd petitioners are the students of Pachaiyappa College. The 1st petitioner is undergoing B.Sc (Mathematics). The 2nd petitioner is undergoing B.A. (English Literature). The 3rd petitioner is the Ex-student of Pachaiyappa's College. The Identity Cards of the petitioners 1 and 2 have been enclosed in the typed set of papers which could be seen that the petitioners are the students in Pachaiyappa College. However, the presence of the petitioners on the date of occurrence is not in dispute. Taking into account the identity cards of the college and the fact that the petitioners were present during the occurrence and on an overall view that the petitioners are the students, whose career should not be affected in future, on account of their involvement in a criminal case, this Court is of the view that if the proceedings could be quashed with a condition that the petitioners should undertake social service, the ends of justice could be secured.

4.In the light of the above observations, the petitioners are directed to plant atleast 10 tree-saplings (each of the petitioners) in the campus of Pachaiyappa college and ensure that the trees are well nurtured, atleast for one month and report the action taken to the Principal, Pachaiyappa College, Chennai. With such condition, the impugned First Information Report in crime No.342 of 2019 on the file fo the respondent police, stands quashed.

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

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To:

1.Inspector of Police,
K-2, Aynavaram Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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