

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3122 of 2021
and Crl.M.P No.1775 of 2021

1.B.Rubesh, S/o.Balaji
2.P.Chandrakanth, S/o.Prakash
3.A.Mohammed Ayaz Shariff,
S/o.Abdul Rafi
4.T.Britto Deepak, S/o.Thomas ...Petitioners/ 1to4 Accused

vs.

1. State rep. by
The Sub Inspector of Police,
J-8, Neelankarai Police Station,
Chennai.
2. J.Kannan, S/o.Jayaraman ...Respondents/Complainant &
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records related to the PRC No.68/2020 pending on the file of Learned Judicial Magistrate-II, Alandur and quash he same.

For Petitioners: M/s.B.Raja

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the proceedings in PRC No.68 of 2020 pending on the file of the learned Judicial Magistrate-II, Alandur.

2. Heard Mr.B.Raja, learned counsel for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first respondent.

3. The case of the prosecution is that the petitioners were travelling in a car and on 25.12.2018, the bus driven by the second respondent is said to have been intercepted by the petitioners and there was a wordy quarrel and the petitioners are said to have broken the front glass of the bus. Based on the complaint given by the second

respondent, an FIR came to be registered by the respondent police and a final report has been filed before the court below for an offence under Sections 294(b), 353, 506(i) of IPC r/w. Section 3(1) of TNPPDL Act, 1992.

4. It is seen from the records that the second respondent, even at the time when the bail petition was considered, had reported before the court below that the matter has been settled between the parties and the petitioners have paid a sum of Rs.10,000/- towards damages for breaking the front glass of the bus. This was taken into consideration by the learned Principal Sessions Court, Kancheepuram District at Chengalpattu by granting bail to the petitioners on 04.01.2019.

5. In view of the above development, no useful purpose will be served in keeping the proceedings pending and more particularly due to the fact that the entire incident had taken place in the spur of moment.

6. In the result, the proceedings in PRC No.68 of 2020 pending on the file of the learned Judicial Magistrate-II, Alandur, is hereby quashed. Each of the petitioner is directed to pay a sum of Rs.1,500/- to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this order.

7. This Criminal Original Petition is allowed accordingly. Consequently, the connected miscellaneous petition is closed.

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Sd/-

सत्यमेव जयते Assistant Registrar(CS IV)

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Sub Assistant Registrar

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To

1. The Sub Inspector of Police,
J-8, Neelankarai Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras,
Madras.

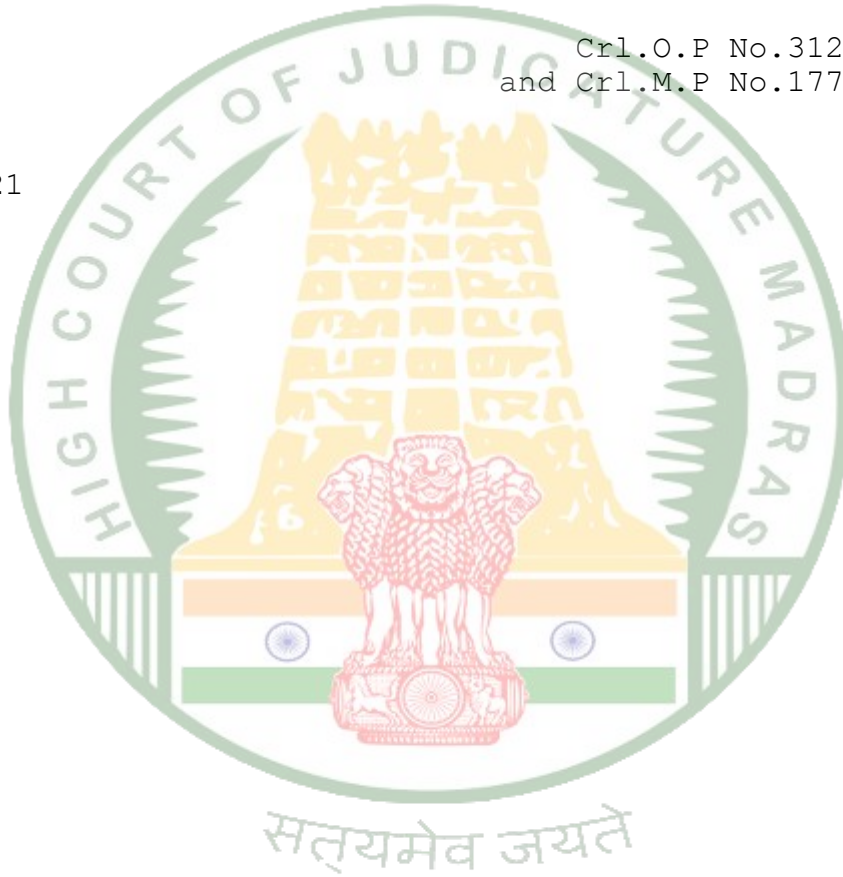
3.The President, The Tamil Nadu Advocates
Clerk Association,
Madras High Court, Madras.

4.The Judicial Magistrate-II, Alandur.

1 cc to Mr. B. Raja, Advocate Sr.13336

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Sr.II(CO)
EU 8.3.2021



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