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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P. No.12879 of 2021

Aravindaraj @Aravind

... Petitioner

Versus

1.The State, represented by
Inspector of Police,
P.1, Pulianthoppu Police Station,
Chennai - 600 012.

2.Magimairaj

... Respondent

Criminal original petition filed under Section 482 of the Code of Criminal Procedure, to call for the records made in impugned FIR in Crime No.341 of 2018 dated 08.06.2018 on the file of Inspector of Police, Pulianthoppu Police Station, the first respondent herein and quash the same as illegal.

For Petitioner : Mr. R.Sankarasubbu

For Respondent -1 : Mr. A.Damodaran
Counsel for Govt. of Tamilnadu
(Criminal Side)

O R D E R

The petitioner, arrayed A3 in Crime No. 341 of 2018, filed this compromise quash petition to quash the FIR.

2. The contention of the petitioner is that he is a law graduate who completed his law degree course in School of Excellence in Law and he had been falsely implicated in this case since the other accused in this case hail from the same locality and known to the petitioner. Other than that the petitioner has got no other connection with the accused. The petitioner is a studious student who completed law degree within the stipulated period. He further submits that in the locality the other accused has got some cases, A1 and A2 in this case has been detained under Act 14. The FIR in this case came to be



registered as there was disturbance in the public order. The very narration of the FIR would go to show that the FIR is registered for the purpose of clamping Act 14 and A1 and A2 were detained under Act 14. As far as the petitioner is concerned, he has got no bad antecedent except for this case no other case against him. The only sin is that the petitioner hails from the same place where the other accused are residing and other than that the petitioner has no connection with the accused. Hence the petitioner prays to quash the FIR against him.

3. Learned Government Counsel (Criminal side) appearing on behalf of the respondent submitted that the de facto complainant lodged a complaint stating that he was threatened by the accused by brandishing knife and they took away the cash from him. Hence, case was registered for the offences under Section 147, 148, 341, 294(b), 323, 392, 397, 336 & 506(2). He further submitted that in this case A1 and A2 have been detained under Act 14. Further, on verification, he fairly submitted that the petitioner has got no bad antecedents except this case. Since the offences are serious in nature, he opposed to quash the FIR.

4. Today the de facto complainant and the petitioner present. Both were enquired. The de facto complainant submits that he has no objection for quashing the proceedings as against the petitioner. He further submits that he hails from Choolai area and he is not from the same place where the petitioner hails. In view of the same, it is also doubtful that whether at all the de facto complainant would be aware about the name of the petitioner. Further, on the submission of the learned Government Counsel, it is seen that A1 and A2 have been detained under Act 14, which according to the petitioner is the reason for FIR being registered. Further, considering that the petitioner has got no bad antecedents and he is a law graduate who completed law degree from a reputed institution in Chennai, this Court is inclined to quash the FIR considering the future of the petitioner and also the attendant circumstances in which he had grown up.

5. Accordingly, this criminal original petition is allowed. The FIR in Cr.No.341 of 2018 dated 08.06.2018, on the file of the Inspector of Police, Pulianthoppu Police Station, is hereby quashed as against the petitioner.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar



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Note: Issue order copy by 24.08.2021

To

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1.The Inspector of Police,
P.1, Pulianthoppu Police Station,
Chennai - 600 012.

2. The Public Prosecutor,
Madras High Court.

+2cc to Mr.R.Sankarasubbu, Advocate, S.R.No.39026

Cr1.O.P. No.12879 of 2021

LN(CO)
CB(24/08/2021)