



Crl.O.P.No.19831 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 24.01.2022

Pronounced on : 17.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19831 of 2021

and

Crl.M.P.Nos. 10804 and 10805 of 2021

Vikash @ Vikash Anand

.... Petitioner

Vs.

1. The State Rep.by
The Inspector of Police
J2, Adyar Traffic Investigation Wing,
Besant Nagar, Chennai 600 090
Crime No.610/AM3/2016

2. Sundar Raj

...Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to quash the case in PRC No.102 of 2016 pending on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr. P.Paramasivadhas
for M/s.K.Sahithya

For Respondent-1 : Mr.A.Damodaran,
Additional Public Prosecutor

For Respondents-2 : Ms.B.S.Ajeetha,
Amicus Curie



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ORDER

Seeking to quash the proceedings in P.R.C.No.102 of 2016, pending on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai, the petitioner, who is A1, before this Court with this petition.

2.The case of the prosecution is that on 19.09.2016 at 03.20 am, the accused drove the Porsche Car bearing Registration No.DL-3F-AP-0021, on Cathedral Road from West to East under the influence of alcohol in a rash and negligent manner, thereby caused the car to hit the median, as a result of which, the car dragged along the median for 20 meters and swirled before it hit 12 auto rickshaws and caused death of one Arumugam, aged 29 years, the occupant of Auto Rickshaw No.TN-O5-AL-6528, who was sleeping inside and further caused injuries to the occupants of the other auto rickshaws parked there. A case was registered against the accused on 19.09.2016 on the file of the 1st Respondent Police for the offences under Sections 308, 109,114, 3(1) of the Tamil Nadu Public Property Damages Act, 1992 and Sections 184, 185 and 188 of the Motor Vehicles Act and after investigation, charge sheet was filed for the offences under Section 304 Part -II, 308 IPC (8 counts) and Section 3(1) TNPPDL Act and Sections 184 and 185 of the Motor Vehicles Act, against A-1. The said charge sheet was assigned P.R.C. No.102 of 2016, on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai.



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3. Mr. P.Paramasivadhas, the learned counsel appearing for the petitioner would submit that the entire case proceeds on the premise that the petitioner was under influence of alcohol, whereas, immediately after the accident, the petitioner was examined by a Dr.Swati at Rajiv Gandhi Hospital, who certified that the petitioner was not under the influence of alcohol. Further, there is no material to invoke the provisions of Section 308 I.P.C, since, to constitute an offence under Section 308 I.P.C, the accused must be shown to have committed an act with an intention or knowledge that if he by that act caused death he would be guilty of culpable homicide not amounting to murder. In the present case, even according to the prosecution, it was an accident, in which, the car first hit the median, dragged along the median for 20 meters and the car swirled. The first casualty in such an occurrence would be the petitioner himself, which, fortunately was not, and it is not possible in such circumstances to impute intention or knowledge of causing death of another by the petitioner.

4. The learned counsel would further submit that to invoke an offence under Section 3(i) of the TNPPDL Act, the petitioner must be shown to have committed mischief, which, as defined under Section 425 I.P.C, presumes intention to cause or knowledge that his act is likely to cause wrongful loss or damage to the public or any person. In the present case, even according to the prosecution, the first occurrence in the cascading set of occurrences is that, the



car alleged to have been driven by the petitioner hit the median first. Thereafter, it is impossible to state that the petitioner lost control over the car and the same was evident from the fact that the car was spinning. Hence, the petitioner cannot be said to have the intention or knowledge to cause wrongful loss or damage to the public or any person and the offence under Section 3(1) of the TNPPDL Act cannot be invoked. Even according to the case of the prosecution the car alleged to have been driven by the Petitioner is a reconditioned car and the same admittedly does not belong to the petitioner. In such circumstances, mere allegation that the car was driven at a very high speed is insufficient to show that the petitioner had the intention or knowledge to cause the accident, in which, he himself would be the first casualty.

5. It is argued on the side of the petitioner that the blood test report produced by the prosecution is full of interpolations and raises serious doubts about the bonafides of the prosecution, more particularly, in the light of the prosecution's own Doctor's certificate given by the Government Doctor Swathi that the Petitioner, after test was perfectly oriented and was not under the influence of alcohol. The petitioner has been implicated malafidely with false allegations of drunken drive contrary to the Medical report and hence, the allegation under Section 185 of the Motor Vehicles Act is *malafide* and unsustainable, in view of the conflicting document of the prosecution itself. Under Section 184 of the Motor Vehicles Act, the alleged act of the petitioner



must be viewed in the light of the nature, condition and use of the place where the vehicle is driven and the amount of traffic which actually is at the time or which might be reasonably expected to be in the place. As per the prosecution, the occurrence is said to have taken place at 3.20 am., and it is common knowledge that roads are deserted at that time. He further submitted that the accident is due to mechanical defect and went out of control. The Motor Vehicle Inspector inspected the car in stationary condition, not examined the vehicle for its mechanical condition except examining the condition of tyres, gave his report stating that accident not due to mechanical defects, is not proper. Therefore, mere allegation that the vehicle was driven at a very high speed, is insufficient to invoke the provisions of Section 184 of the Motor Vehicles Act, is not acceptable.

6. Without prejudice to the main case, even though the accident occurred due to vehicle's mechanical reason, the petitioner has made substantial payments of Rs.27,50,000/- to the injured victims by personal offer, even in the claim petition filed before the Motor Accident Claims Tribunal by two of the victims, substantial amount offered the victims agreed for the same and the said case is likely to be settled. He would further submit that the petitioner suffered immense emotional and mental trauma, since the accident. He would also submit that the petitioner was arrested and remanded to Judicial custody for a substantial period. Further, he is a Law graduate and due to pendency of the above case, he is unable to pursue his career and his entire life is at stake.



Therefore, the learned counsel for the petitioner prays to quash the proceedings in PRC No.102 of 2016 pending on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

7. Mr.Damodaran the learned Additional Public Prosecutor would submit that the respondent police after completing investigation has filed a final report before the XVIII Metropolitan Magistrate, Saidapet, Chennai. The accused drove the vehicle in a rash and negligent manner, under influence of alcohol, which result in accident, in which, one Arumugam, aged 29 years, the occupant of Auto Rickshaw No.TN-O5-AL-6528, who was sleeping inside the Auto and further caused injuries to the occupants of the other auto rickshaws parked there. On information, the prosecution registered the case against the accused on 19.09.2016 in Crime No.610 of 2016, under Sections 308, 109,114 of IPC and Sections 3(1) of the Tamil Nadu Public Property (Prevention and Damages and Loss) Act, 1992 and Sections 184, 185 and 188 of the Motor Vehicles Act and after investigation, charge sheet was filed for the offences under Section 304 Part -II, 308 IPC (8 counts) and Section 3(1) TNPPDL Act and Sections 184 and 185 of the Motor Vehicles Act, against A-1. The said charge sheet was assigned P.R.C. No.102 of 2016, on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai. The learned Additional Public Prosecutor strongly opposed this petition for quashing the proceedings contending that it is a matter for trial.



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8. I have heard the learned counsels appearing on either side and perused the materials available on record.

9. It is seen from the records that on 19.09.2016 at 03.20 am, while the accused drove the Porsche Car bearing Registration No.DL-3F-AP-0021, on Cathedral Road from West to East, the car hit the median, as a result of which, the car dragged along the median for 20 meters and swirled before it hit 12 auto rickshaws and caused death of one Arumugam, aged 29 years, the occupant of Auto Rickshaw No.TN-O5-AL-6528, who was sleeping inside and further caused injuries to the occupants of the other auto rickshaws parked there. According to the prosecution, the accident had occurred due to rash and negligence driving of the driver of the vehicle under the influence of alcohol

10. It is seen that the auto drivers of the stand are projected as eye-witnesses, who have seen the vehicle driven by the petitioner / A1 in high speed, dashed against median, thereafter the autos standing on the road. The autos parked on the road is not seriously disputed. Further, the place is not an approved auto stand. The petitioner's specific case is that the vehicle got damaged due to mechanical defect, due to which, the vehicle had hit the median and thereafter, hit the autos and caused the accident. Further, it is seen that majority of the witnesses are auto stand drivers, of which some are projected as



eyewitnesses, others state that they were sleeping inside the autos, only after hearing the noise they saw the accident. Other than that, the security guards posted nearby shops state about the accident. Though it was projected as though A2 had abetted A1 to start the vehicle and move away, it is admitted that the vehicle could not be started and it was jammed, got stuck due to mechanical failure. Thereafter, with force only the doors of the cars were opened and A1 and A2 secured. All the witnesses state that they found or heard that the accused were in a drunken state.

11. L.W.35 / R.Vijaya, is the Motor Vehicle Inspector, who examined the autos as well as Porsche Car, states that Porsche car was inspected on 29.09.2016, ten days after the accident in stationary condition, since the vehicle was not motorable. Except that, she is unable to find out the efficiency of the break system of the car, the mechanical or physical features. She gives a report stating that on stationary inspection it was found that the tyre conditions are good and the vehicle had no mechanical defect, except this, she had not inspected and examined the vehicle on the mechanical aspect. The Doctor / L.W.31 recorded in the Certificate of Drunkenness No.81249 that the petitioner consumed liquor, but not under influence. The blood test and urine test reflect that ethyl alcohol is beyond the permissible limit. Dr.Swathi, first examined the petitioner, clearly recorded denoting that the petitioner, was stable well under control. Further it is seen that the Porsche Car was purchased in the year 2015



from one Onkar International Pvt. Ltd., as could be seen from L.W.18, but the ownership of the vehicle not changed in the Registration Certificate, since No Objection Certificate from Delhi Transport Authorities could not be obtained.

12. Be that as it may, in this case, the vehicle though is purchased by A2 from L.W.18, on 28.10.2015, through L.W.17, the Registration Certificate thereafter could not be changed for the reason that 'No Objection Certificate' from Delhi RTO was awaited, as could be seen from L.W.19 statement. As per the records, the vehicle stand in the name of L.W.18. The Apex Court has categorically held that in the case of Motor Accident Claim, the claim to be made on the insurer as well as the owner of the vehicle in whose name the Registration Certificate stand. In this case, it would take some time to claim compensation due to the above reason and the victim should be denied of timely compensation. Further, in this case, the percentage of alcohol is also disputed, again it may take to prolonged litigation.

13. The petitioner / A1 driver of the car is a final year Law Graduate, now completed his studies. Considering the mistake committed have come forward and settled the compensation claims made in M.A.C.T.O.P.No.6336 of 2016 filed by Arumugam's mother G.Krishnaveni and minor daughter Maisha and yet another compensation petition filed by one Deivarasu in M.A.C.T.O.P.No.6337 of 2016. As could be seen from the status report, it is seen that in



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M.A.C.T.O.P.No.6336 of 2016, a memo has been filed stating that the case is settled out of Court and an amount of Rs.23,00,000/- and Rs.8,50,000/- has been received by the claimants therein, recording same, the Motor Accident Claims Tribunal dismissed the claim petition on 25.10.2021.

14. It is also to be seen that during investigation in the above case, the petitioner was arrested and later granted bail in Crl.O.P.No.22335 of 2016 with certain conditions. One of the conditions is that the petitioner was directed to deposit a sum of Rs.15,00,000/- in the name of A.Maisha, D/o.Arumugam. As per the condition, the petitioner deposited Rs.15,00,000/-, by way of Fixed Deposit in F.D. Account No.1283427000003/1, on 07.11.2016, Canara Bank, Habibullah Road, T.Nagar Branch, Chennai. Thereafter, the said Krishnaveni filed Miscellaneous Petitions before this Court in Crl.M.P.Nos.9182 & 9183 of 2017 to withdraw the interest amount, which were allowed.

15. This Court in Crl.O.P.No.22335 of 2016 directed that the Fixed Deposit to be kept as it is, until the minor child Maisha attains majority that is till 07.11.2016. The Principal Sessions Judge, City Civil Court, Chennai, is made as a Joint Guardian to issue consequential order to the Canara Bank, Habibullah Road, T.Nagar Branch, Chennai, to give effect to the aforesaid directions of this Court. In the meanwhile, the earlier F.D.No. No.1283427000003/1 was closed and new F.D.No.1283387000003 was opened with multi interest payment. This



Court, on the petitioner coming forward to make another Rs.15,00,000/- as compensation to the minor girl, permitted the petitioner to deposit the amount as Fixed Deposit. The petitioner produced two Demand Drafts as follows:

1. D.D.No.246383, dated 12.11.2021 for Rs.12,50,000/- drawn on Canara Bank, Habibullah Road, T.Nagar Branch, Chennai , and

2. D.D.No.246386, dated 15.11.2021 for Rs.2,50,000/- drawn on Canara Bank, Habibullah Road, T.Nagar Branch, Chennai_

This is in addition to earlier Fixed Deposit of Rs.15,00,000/-.

16. The Canara Bank, Habibullah Road, T.Nagar Branch, Chennai, by communication, dated 25.11.2021, has sought a clarification. In view of the same, this Court directs the Chief Manager, Canara Bank, Habibullah Road, T.Nagar Branch, to receive the Demand Draft, make Fixed Deposit in the name of minor Maisha, nominating her paternal grandmother Manjula and the interest portion can be credited to the account of Manjula in Indian Bank, Tiruttani Branch (1110), Account No.6690359377.

17. Earlier there was some dispute with regard to receipt and utilization of the compensation amount between the paternal side and maternal side of minor



Maisha. The minor girl Maisha lost her father in the accident, three months before that, her mother Pushpa committed self immolation along with her another daughter Ranjana, on 26.05.2021. Thus, now Maisha has lost both her parents father Arumugam, mother Pushpa and younger sister Ranianna and she is alone. After the death of her mother, she is taken care by the maternal grandmother. Both the grandparents are hailing from the same village, residing besides. Further, the accumulated interest was withdrawn by Krishnaveni and the Advocate also played their part and the entire interest amount not reached the minor girl for her benefit.

18.Due to the accident, Arumugam succumbed to injuries leaving behind his widowed mother Krishnaveni and minor daughter Maisha, as his legal heirs. The maternal uncle Seenu submitted that Krishnaveni, the paternal grandmother of Maisha was nominated as guardian. The accumulated interest of Rs.1,50,000/- was withdrawn of which Rs.75,000/- alone was given to Krishnaveni and the balance amount of Rs.75,000/- was taken as Advocate fee, in the year 2018. Further, the accident claim case proceeded till October 2021 where the petitioner as well as claimant had mutual discussion and it was decided that Rs.23,00,000/- would be paid as compensation finally. This was not agreeable to Seenu, maternal uncle. Further, for his Advocates Seenivasan and Murthy 10% fee was fixed, but later the fee was charged on a higher rate and they demanded Rs.10,00,000/-, which was not agreeable to the paternal uncle.



The advocates themselves decided that the amount of Rs.15,00,000/- would be paid by way of cheque to Maisha; Rs.3,00,000/- to be paid to the Advocates and Rs.5,00,000/- to be paid in the name of Krishnaveni. The cheque for the minor Maisha was not handed over to them. The said Krishnaveni maternal grandmother, her son Muthu and Vinayagam were having a tactful understanding with the Advocates and the said Krishnaveni without informing him had gone and withdrawn Rs.5,00,000/-. Further, she apprehended that the amount in favour of minor Maisha would be withdrawn and taken away by them. Hence, he had apprehension that the Maisha would not get full benefit of the compensation amount, this Court held Mediation in the Chamber on few occasions, called Seenu, maternal uncle, maternal grandmother and brothers of Arumugam, found allegations made by each other, despite all are closely related.

19. Thereafter, Mrs. B.S.Ajeetha, Advocate of this Court, was appointed as *Amicus Curiae*, to assess the mental and wellbeing of the minor girl and also to find out the way to protect the child's interest and how best the compensation amount to be utilized for her wellbeing. The *Amicus Curiae* had interaction with all the concerned and filed a report stating that she had interaction with the minor child Maisha, her relatives and also assessed the safe custody and environment in the absence of both her parents. She interacted with Maisha, her maternal uncle Seenu, his wife Mahasri, paternal grandmother Krishnaveni, paternal uncle Muthu, his wife along with the counsels. Maisha was interacted



in detail for quite some time and it was found that Maisha was living with her uncle Seenu, aunt and maternal grandmother Manjula. She had also stated that she used to meet her paternal grandmother Krishnaveni earlier and now she is not meeting her. The minor Maisha's interest in sports and other activities were also assessed and the observation made by the Amicus Curiae is that the child is not emotionally expressive to her age. Insufficiency of emotional and psychological development could be felt. The child failed to show any sadness or concerns when spoke about loss of father or mother or sibling. Further found the environment in which she is brought up has not given her the values of paternal grandmother, paternal uncles, aunts and cousins, who all live in close proximity. Further recommended that a systematic evaluation of the child to be done. Child needs mainstreaming in her life as the maternal uncle, aunt and grandmother show aloofness from the paternal side though they are all related to each other. Further, on interaction with the maternal uncle and aunt it was found that Seenu had love marriage he and his wife both of them are working in Port of Chennai, he seems to be more concerned as regards compensation, sharing the same between Krishnaveni and Maisha. Further, when he was confronted for withdrawal of Rs.3,50,000/- so far from the interest amount, he replied Rs.75,000/- paid to the Lawyers and was unable to give other particulars.

20. The paternal grandmother Krishnaveni during interaction stated that Seenu is threatening her to vacate the small house and land belonged to



Arumugam in which she is residing. Seenu claims that the property now belongs to Maisha and hence asked to vacate the place. Her son Muthu seems to have control Krishnavenil, Muthu and his wife interacted they also spoke on the lines of Krishnaveni. Finally it was observed by the Amicus Curiae the paternal grandmother looks incapable of bringing up the child, as she is very gullible and has no worldly knowledge. Further, she gave conclusion that the child needs to be spoken to and met by the members of Child Welfare Committee, Chennai, for giving their independent report following the protocol and procedures as per Juvenile Justice (Care and Protection) Act, 2015 amended upto 2021 and Juvenile Justice (Care and Protection) Model Rules 2016 and thereafter, this Honourable Court may decide about the custody of the child with the fit person.

21.Following the same, the Child Welfare Committee, Chennai, was directed to give a report. The Child Welfare Officer, Chennai Central, had given a report after visiting Maisha residence, interacting with her, found that after the demise of Maisha's mother Pushpa, she is residing with her maternal uncle and maternal grandmother and they properly taking care of her. The minor girl was studying in Tiruttani and for the following academic years, she would continue her education from Chennai where she is now residing with her uncle. Further it is also found that she had been properly taken care with concern. It was recommended that the maternal grandmother Manjula can be appointed as fit person. Further, the Child Welfare Committee would make periodical visits



and assess the situation and monitor the welfare, wellbeing of the child. The Child Welfare Committee, Tiruvallur submitted a report dated 07.12.2021, stating that the paternal grandmother Krishnaveni is uneducated without any world events, she is unable to even recollect her age. Her only grievance seems to be that she is unable to meet her grand daughter. She admits that she is residing in the house of her son Late Arumugam and she complained that Rs.1,00,000/- compensation given by the Government, she received nothing.

22. The Child Welfare Committee visited St. Joseph Nursery and Primary School, Tiruttani, made enquiry, found that Maisha studied from the year 2013 to 2017 upto Class II, after 2017, she was not coming to the School and it was found that thereafter, she was studying in Billabong High International Senior Secondary School, there she joined the school in the year 2017 and she is studying Grade III. Her maternal uncle Seenivasan had admitted her in the school, who was paying fee and taking care of the minor girl Maisha. Interaction was also made with Krishnaveni, paternal grandmother who seems to have the same grievance that she is not allowed to meet her grand daughter. The recommendation is that the Krishnaveni allowed to meet her granddaughter Maisha and the compensation amount to be properly monitored.

23. Dr.S.Elilarasi, Director and Professor, Institute of Child Health and Hospital for Children, Chennai, sent a report on 13.12.2021 stating that



psychometric evaluation on the minor Maisha was conducted on 07.12.2021 and 09.12.2021 and sent a report, opining that the minor Maisha has a borderline intellectual functioning and needs some extra care. Thus, on the efforts taken by the Amicus Curiae and also the Child Welfare Committee, Tiruvallur, and the report of Dr.S.Elilarasi, it is seen that the minor child to be given in custody of the fit person. In this case, on the recommendation of the Child Welfare Committee it is seen that it would be proper that Manjula, the maternal grandmother is nominated as a fit person, till the minor child attains majority.

24. In view of the same, the Canara Bank, which already holding Rs.15,00,000/- in Fixed Deposit, in the name of minor Maisha and another Rs.15,00,000/- + Rs.5,00,000/-, in total Rs.20,00,000/- to be deposited in the name of minor Maisha, as Fixed Deposit, the interest accrued from these two accounts to be transferred to the Indian Bank Account Tiruttani Branch (1110), Account No.6690359377, who is nominated as fit person for the minor. The maternal uncle not to deny paternal grandmother and paternal relatives of minor Maisha whenever they visit her. Further, the minor girl Maisha should be permitted, to visit her native, to meet her paternal grandmother and relatives. The Education of the girl is important, which is to be ensured by the fit person as well as maternal uncle. The Child Welfare Committee, Chennai, to visit the child, to ensure that the child is in safe and healthy environment with all facilities and also to monitor the expenses made from the accrued interest from



the Fixed Deposit and, if needed, necessary instruction can be given to the concerned. Finally, it is seen that Maisha minor daughter of Arumugam is paid Rs.35,00,000/- (Rupees Thirty Five Lakhs Only) by the petitioner, as compensation, in total Rs.48,00,000/- (Rupees Forty Eight Lakhs Only) paid towards compensation of which Rs.13,00,000/- (Thirteen Lakhs Only) to Krishnaveni, paternal grandmother, the other legal heirs of late Arumugam. The relevant portion of Memo of payment filed by the petitioner reads as under:-

(I) Amount paid to Mrs. Krishnaveni, as per her requirement.

a. Rs.5,00,000/- (Rupees Five lakhs Only) by way of Cheque No.575573 dated 25.10.2021 drawn on Canara Bank, Habibullah Road branch, T.Nagar, Chennai – 17.

b. Rs.3,00,000/- (Rupees Three lakhs Only) by way of Cheque No.064399 dated 24.10.2021 drawn on Canara Bank, Habibullah Road Branch, T.Nagar, Chennai – 17.

c. Rs.2,50,000 (Rupees Two lakhs Fifty Thousand Only) by way of Cheque No.574575 dated 30.10.2021 drawn on Canara Bank, Habibullah Road Branch, T.Nagar, Chennai – 17.

d. Rs.2,50,000 (Rupees Two lakhs Fifty Thousand Only) by way of Cheque No.574576 dated 30.10.2021 drawn on Canara Bank, Habibullah Road Branch, T.Nagar, Chennai – 17.



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(II) Amount paid in favour of minor A.Maisha as per request of her guardian Mrs.Krishnaveni and maternal uncle Seenu.

a. Rs.12,50,000/- (Rupees Twelve lakhs Fifty Thousand Only) by way of Demand Draft in D.D.No.246383, dated 12.11.2021 drawn on Canara Bank, Habibullah Road Branch, T.Nagar, Chennai – 17.

b. Rs.2,50,000/- (Rupees Two lakhs Fifty Thousand Only) by way of Demand Draft in D.D.No.246386, dated 15.11.2021 drawn on Canara Bank, Habibullah Road Branch, T.Nagar, Chennai – 17.

c. Rs.5,00,000/- (Rupees Five lakhs Only) by way of Demand Draft in total Rs.20,00,000/-, Fixed Deposit to be made in the name of Maisha.

25. The demand draft mentioned in (a) & (b) either to be revalidated or fresh Demand Draft to be taken, along with it Demand Draft for another Rs.5,00,000/- to be taken and deposited.

26. In view of the above facts and circumstances, this Court is inclined to allow the Criminal Original Petition by quashing the proceedings in P.R.C.No.102 of 2016, pending on the file of the XVIII Metropolitan Magistrate, Saidapet,



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Chennai, against the petitioner and the other accused. Since the other accused A2 though not a party, the case against him is that he, as co-passenger in the car, abetted the petitioner in the accident. In view of the same, the case as against A2 is also hereby quashed. Consequently, the connected miscellaneous petitions are closed.

27. This Court makes it clear that the present case cannot be taken as a precedent, as the same has been passed by taking into consideration the facts and circumstances of the case and the pathetic condition of the minor girl Maisha, to be compensated, taken care without delay, who lost her parents at her tender age, further, the petitioner, a young Law student, completed his Law studies, budding, aspiring a life in the profession.

17.06.2022

Index : Yes/No
Internet : Yes / No
MPK



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To

- 1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Principal Sessions Judge,
City Civil Court, Chennai.
- 3.The Chief Manager,
Canara Bank,
Habibullah Road, T.Nagar Branch,
Chennai.
- 4.The Member,
Child Welfare Committee,
No.300, Purasawalkam High Road,
Kelley, Chennai – 600 010.
- 5.The Child Welfare Officer,
Chennai Central, Chennai.
- 6.The Branch Manager,
Indian Bank,
Tiruttani Branch.
- 7.The Director and Professor,
Institute of Child Health and Hospital for Children,
Chennai.
- 8.The Inspector of Police,
J2 Adyar Traffic Investigation Wing,
Besant Nagar, Chennai 600 090.
- 9.The Public Prosecutor,
High Court, Madras.
- 10.Ms.B.S.Ajeetha,
Advocate, No.13, Law Chambers,
High Court Building,
Chennai-104.



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M.NIRMAL KUMAR, J.

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Pre-Delivery Order made in

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