



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.24447 of 2021 and
CRL.M.P.Nos.13469 and 13471 of 2021

S. Mohanraj ... Petitioner / Accused No.6
Versus

1. State represented by
The Inspector of Police
T-9, Pattabiraman Police Station,
Chennai. .. 1st Respondent/ Complainant

2. T.Ashokan ...2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in C.C.No.5 of 2018 on the file of Judicial Magistrate II, Thiruvallur to quash the same.

For Petitioner : Mr.M.Aswin

For Respondents: Mr.E.Raj Thilak
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.05 of 2018, on the file of the Judicial Magistrate Court No.II, Thiruvallur.

2. There are totally seven accused in this case, the petitioner is arrayed as A6. The charges is that on 09.10.2017, when the group of students, who are studying in Presidency College armed with knife caused fear to the public, who were present around. When the defacto complainant questioned the same, the students abused him with filthy language and also threatened him with dire consequences by showing knife.

3. Today, when the matter is taken up for hearing the learned counsel appearing for the petitioner has filed the Affidavit filed by father of the petitioner dated 27.01.2022, wherein it is stated that his son will not involve in any notorious activities and the age of the son and his future may



be considered and prays to quash the C.C.No.05 of 2015. The learned counsel appearing for the petitioner also produced the copy of the Affidavit filed by the petitioner dated 27.01.2022, wherein the petitioner undertook that he will not involve in any notorious criminal activities. The learned counsel appearing for the petitioner also submitted that already proceedings in C.C. No.5 of 2018 was quashed with respect to A5 and A7 and hence prays to quash as against this petitioner who is also similarly placed.

4. Considering the facts and circumstances of the case, the petitioner/A6 is a student and also considering the affidavit filed by the father of the petitioner as well as the petitioner, this Court is inclined to quash the proceedings as against the Petitioner/A6.

5. Accordingly, this Criminal Original Petition is allowed and the proceedings against the petitioner/A6 in C.C.No.05 of 2018, on the file of the Judicial Magistrate Court No.II, Thiruvallur is quashed as against the petitioner. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Judicial Magistrate No.II.
Thiruvallur.
2. Do through The Chief Judicial Magistrate,
Thiruvallur.
3. The Inspector of Police
T-9, Pattabiraman Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Ashwin, Advocate, S.R.No.6582

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PMK(CO)
SB(03/03/2022)