



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1665 of 2022

Livingston ... Petitioner/ Sole Accused
Vs.

1.The State Rep. by
The Sub-Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
(Crime No.24 of 2020) ... 1st Respondent/ Complainant

2.Allvin Immanuvel ...2nd Respondent/ Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.24 of 2020 pending on the file of the first respondent police and quash the same.

For Petitioner: Mr.A.Robinson
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

O R D E R

This criminal original petition has been filed by the petitioner to quash the FIR in Crime No.24 of 2020 registered on the file of the first respondent for the offences under Sections 294(b) and 355 of IPC r/w Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015.

2.The petitioner is working as Headmaster in St. Michael Higher Secondary School, Muthaloor. On 03.02.2020, he had inflicted corporal punishment on Allvin Immanuvel, a student studying in 10th standard. That led to lodging of the impugned FIR. The student is still studying in the very same school. The petitioner, who is the Headmaster of the institution, had inflicted the corporal punishment only with a *bona fide* intention and motive.

3.The victim as well as the victim's father appeared before this Court through video conferencing and they clearly stated that they did not want to prosecute the petitioner herein. Since the victim himself does not want to pursue the matter, no purpose will



be served in keeping the impugned prosecution alive. The impugned FIR is quashed. The criminal original petition is allowed.

Sd/-

Assistant Registrar (AD-II)

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// True Copy //

/ /2022

Sub Assistant Registrar

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Sub-Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.ROBINSON, Advocate (SR-4126[F] dated 04/02/2022)

Cr1.O.P (MD)No.1665 of 2022
03.02.2022

sj
MS/16.02.2022/2P.4C