



CrI.O.P.(MD) No.11513 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CrI.O.P.(MD) No.11513 of 2022 and
CrI.M.P(MD).Nos. 7289 and 7290 of 2022

R.Prakash

...Petitioner

Vs.

1.The State rep. by
the Inspector of Police,
CBCID, Madurai City,
Madurai District.
(Crime No.2 of 2017)

2.Tamilselfvam

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records and to quash the proceedings in charge sheet before learned Juvenile Justice Board, Madurai in Jc.No.29 of 2021 and quash the same.

For Petitioner : Mr.N.Saravana Kumar

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition is filed to call for the records relating to the proceedings in charge sheet before the learned Juvenile Justice Board, Madurai in J.C.No.29 of 2021 and quash the same.

2. The learned counsel appearing for the petitioner submitted that the respondent police prosecuted the case this petitioner along with two other Juvenile accused in J.C.No.29 of 2021 for the offences under Sections 147, 341, 294(b) and 188 IPC on the file of the Juvenile Justice Board, Madurai. He would further submit that this Court by order, dated 10.02.2022 in CrI.O.P.(MD).No.2884 of 2022 quashed the proceeding against one of the Juvenile accused and yet another accused is pending. Now, the petitioner seeks to quash the proceedings in J.C.No.29 of 2021 pending against him. He would further submit that the other adult accused viz., A1 to A20 prosecuted by the respondent police before the IV Additional District and Sessions Judge, Madurai were acquitted in S.C.No.372 of 2013, on 19.04.2022.

3. The learned Additional Public Prosecutor appearing for the respondent police would submit that in Crime No. 2 of 2017 totally 27 accused were prosecuted, in which 3 juveniles accused have been split up and



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prosecuted before the Juvenile Justice Board in J.C.No.29 of 2021 and one of the Juvenile approached this Court and the proceeding against him was also quashed in CrI.O.P(MD).No.2884 of 2022, dated 10.02.2022 and the another juvenile is the petitioner herein. He further submitted that the remaining adult accused persons prosecuted by the respondent police before the IV Additional District and Sessions Judge, Madurai in S.C.No.372 of 2013 were acquitted on 19.04.2022.

4. On perusal of the records it reveals that initially the first respondent police registered a case in Crime No. 2 of 2017 for the offences under Sections 147, 341, 294(b) and 188 IPC against 27 accused. After the investigation three persons being Juvenile their case has been split up and prosecuted separately before the Juvenile Justice Board, Madurai in J.C.No.29 of 2021. One of the Juvenile accused approached this Court to quash the proceeding against him in J.C.No.29 of 2021, which was allowed by this Court on 10.02.2022 CrI.O.P(MD).No.2884 of 2022. Further, it is brought to the knowledge of this Court that the adult accused persons were also acquitted by the IV Additional District and Sessions Judge, Madurai in S.C.No.372 of 2013, on 19.04.2022. Now this petitioner is the another juvenile prosecuted along with 2 juvenile accused in J.C.No.29 of 2021.



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5. Considering the fact that the proceeding against the co-accused juvenile was quashed by this Court, dated 10.02.2022 in Crl.O.P(MD).No. 2884 of 2022 and that the adult accused were also acquitted from the case by the IV Additional District and Sessions Judge, Madurai in S.C.No.372 of 2013, continuing the criminal proceedings against this petitioner before the Juvenile Justice Board in J.C.No.29 of 2019, would be no use and hence, the criminal proceeding against the petitioner pending before the Juvenile Justice Board, Madurai in J.C.No.29 of 2021 is hereby quashed.

6. Accordingly, this Criminal Original Petition is allowed.
Consequently, the connected Miscellaneous Petitions are closed.

29.06.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
trp



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To

1.The Inspector of Police,
South Gate Police Station,
Madurai City,

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

trp

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