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Crl.O.P.No.3846 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3846 of 2023

Crl.M.P.No.2428 of 2023

Rajkumar

... Petitioner

Vs.

1.The State Represented by
Inspector of Police
Velipalayam Police Station,
Nagapattinam District.

2.Vadivel

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C.
praying to call for the records pertaining to Crime No.133 of 2018 on the file
of the Inspector of Police, Velipalayam Police Station, Nagapattinam District
and to quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.K.C.Karl Marx

For Respondents : Mr.S.Santhosh (For R1)

Government Advocate (Crl side)



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to Crime No.133 of 2018 on the file of the Inspector of Police, Velipalayam Police Station, Nagapattinam District and to quash the same in so far as the petitioner is concerned.

2.The learned counsel for the petitioner submitted that petitioner is juvenile and he was not involved in the offence as alleged in the First Information Report. There is no bad antecedent against the petitioner. Though the First Information Report was registered on 25.05.2018, till now final report is not filed. Therefore, this petition.

3.In response, the learned Government Advocate (Criminal side) submitted that final report would be filed within a period of one month from today (i.e. 22.02.2023). He further submitted that the amount of Rs.1500/- was recovered from the petitioner.

4.Considered the rival submissions and perused the records.



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5.It is seen from the First Information Report allegations that on 25.05.2018, accused was found committing theft of Rs.1500/- by breaking open the beero in the house of the defacto-complainant. Petitioner/accused was caught red handed and this case came to be registered. This money according to the learned Government Advocate (Criminal side) was recovered from petitioner. Therefore, there is no way for quashing of First Information Report in F.I.R.No.133 of 2018.

6.It is submitted by the learned counsel for the petitioner that petitioner was born on 25.10.2000 and he was a juvenile on the date of commission of offence. If that be true, petitioner has to be tried before the Juvenile Justice Board. In this view of the matter, this Court disposed of this Criminal Original Petition giving direction to the respondent Police to complete the investigation immediately and file final report before the competent Jurisdictional Court within a period of one month from the date of receipt of copy of this order.



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7. With the above direction and observation, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

22.02.2023

Internet: Yes
Index: Yes/No
ep

To:

Inspector of Police
Velipalayam Police Station,
Nagapattinam District.



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G.CHANDRASEKHARAN, J.
ep

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