



Crl.O.P(MD).No.19891 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

Crl.O.P(MD).No.19891 of 2024

and

Crl.M.P(MD)No.12261 of 2024

Lokish Vaikunda Selvam

...Petitioner

Vs

1. The Inspector of Police
Thoothukudi Central Police Station
Thoothukudi District

2. M.Melkis Navin

...Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BSNSS to call for the records in pursuant to the First Information Report in Crime No. 163 of 2015 on the file of the first respondent police dated 24.03.2015 and quash the same as illegal.

For Petitioners
For Respondents
No.1

: Mr.S.T.Sasidharan Tamilkani
: Mr.E.Antony Sahaya Prabhakar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 163 of 2015 on the file of the first respondent police.



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2. The contention of the petitioner is that at the time of alleged occurrence during the year 2015 the petitioner and other accused in the First Information Report were school students and later they were tried before the Juvenile Justice Board, Thoothukudi. The Juvenile Justice Board by judgment dated 19.07.2023 had terminated all the proceedings against the petitioner, hence nothing survives in Crime No.163 of 2015. The petitioner thereafter continued his school education, college education and appeared for uniform service examination and presently he got selected for the post of police constable. Since in the CCTNS portal the name of the petitioner is reflected in First Information Report the petitioner's further selection has been stalled. The petitioner is likely to lose his future prospectus, hence he sought for quashing the First Information Report.

3. The learned Additional Public Prosecutor fairly submitted that in this case at the time of alleged occurrence the petitioner namely Lokish Vaikunda Selvam and other accused namely Jeyasingh were school students and the case against them was terminated by the orders of the Juvenile Justice Board and he further submitted that nothing survives against the petitioner. The petitioner after one solitary occurrence at the school days has no any adverse notice. In view of the same he has no objection in quashing the First



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Information Report. He further submitted that it will take some time to remove the name of the petitioner from the CCTNS portal and by that time the petitioner's selection process might be over.

4. Considering the submission and perusal of materials it is seen that the petitioner was the school student at the time of alleged occurrence and the proceedings against him was also terminated by the Juvenile Justice Board, Thoothukudi the continuation of the investigation against the petitioner would amount to abuse of process of law. Hence, the investigation in Crime No.163 of 2015 on the file of the first respondent is hereby quashed. Since the First Information Report has been quashed name of the petitioner to be removed from the CCTNS portal.

5. This criminal original petition is allowed. The above case not to be projected as an impediment to the petitioner for his future education and employment. Consequently, connected miscellaneous petition is closed.

29.01.2025

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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Note: Issue order copy on 29.01.2025.

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



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M.NIRMAL KUMAR,J.

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