

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

Crl.O.P. No. 2901 of 2015
and
M.P.No.1 of 2015

Syed Liyakath Ali @ Liyakath Ali ... Petitioner

vs.

1.The State rep.by
the Inspector of Police,
Vellore South Police Station,
Vellore District.

2.K.Thajeethin ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pending on the file of the 1st respondent police, namely, Inspector of Police, Vellore South Police Station, Vellore District in Crime No.400/2013 and to quash the Criminal Proceeding.

For Petitioner : Mr. E.Kannadasan

For 1st Respondent : Mr. M. Maharaja,
Additional Public Prosecutor

O R D E R

This petition is filed by the petitioner to quash the FIR in Crime No.400 of 2013 pending on the file of the first respondent police. As per the FIR, the case has been registered against the accused/petitioner for offence under Section 366A r/w 109 of IPC stating that on 5.6.2013 at 10.00 a.m., the accused kidnapped the daughter of defacto complainant who was aged 17 years.

2. It is submitted by the learned counsel for the petitioner that the victim girl is aged more than 18 years and she was born on 13.7.1996 and produced a copy of the Birth Certificate to that effect. He further submitted that the accused and the victim girl

got married and produced a copy of the certificate issued by Tamil Nadu Muslim Munnetra Kazhagam that "Nikkah" took place on 15.9.2014, after the victim girl attaining majority, and also a copy of the marriage certificate issued by the Registrar of Marriages, District Registrar Office, Vellore dated 25.9.2014.

3. Today, the victim girl appeared before this Court and she was identified by the police. She was enquired and she stated that she on her own went to the house of the accused as her parents forced her to marry a person of their choice.

4. As per the statement of the victim girl, the accused did not kidnap her and she went on her own to the house of the accused and she is also major now and she has married the accused. In these circumstances, there is no purpose in conducting investigation in the case. Hence, the petition is allowed and the FIR is quashed. The connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

asvm

To

1.The Inspector of Police,
Vellore South Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.E. Kannadasan, Advocate, sr. 8265

CRL.O.P. No.2901 of 2015

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