

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.18189 of 2015

and

M.P.No.1 of 2015

1.Thirumurthy
2.Kesavan

...Petitioners/A1&A2

Vs.

1. State represented by
Inspector of Police,
Pullarampakkam Police Station,
Thiruvallur District. ... 1st Respondent/Complainant
2. D.Mohan ... 2nd Respondents/Defacto
Complainant.

PRAYER: Criminal Original Petition has been filed to call for the records in Crime No.66 of 2015 on the file of Inspector of Police, Pullarampakkam Police Station, Thiruvallur District pending investigation and quash the FIR.

For Petitioners : Mr.S.Suresh
For Respondent No.1 : Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to call for the records in Crime No.66 of 2015 on the file of Inspector of Police, Pullarampakkam Police Station, Thiruvallur District pending investigation and quash the FIR.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a complaint lodged by D.Mohan, the respondent police registered a case in Crime No.66 of 2015 on 25.05.2015 for an offence under Section 366(A) I.P.C against one Thirumurthy and others. The allegation in the FIR is that the daughter of defacto complainant by name Vimala, a minor has been kidnapped by the accused. Now, it

appears that Thirumurthy (A1) has married Vimala, who is daughter of defacto complainant and the marriage has also been registered in Sl.No.2030/2015 on 08.06.2015 before the Registrar of Marriages, Chennai North.

4. Today, Mr.Veeramani, Special Sub-Inspector of Police, Pullarampakkam Police Station is present before this Court. Mr.D.Mohan, defacto complainant and his daughter Vimala and Thirumurthy (A1) are also present before this Court. They have been identified by the said police officer. D.Mohan, defacto complainant has filed an affidavit before this Court, wherein, paras - C & D, it is stated as follows;

" C.Based on my complaint a case was registered by the 1st respondent on 25.05.2015 in Crime No.66 of 2015 U/S.366 (A) IPC against 2nd and 3rd respondent herein. In the meantime on 08.06.2015 the 2nd respondent herein and my daughter got married at Salai Vinayagar Koil, Muthialpet, Chennai - 600 001 and the same was registered before the Registrar, District Registrar Office, Chennai North in Serial No.2030/2015 and they appeared before the 1st respondent police station. In the Police Station they pleaded mercy and apologized to me.

D. Considering their future and prosperous upcoming life I forgive them. Now my daughter and the 2nd respondent herein is living in my village peacefully and happily. I am no more interested in pursuing the above case in Crime No.66 of 2015 pending before the 1st respondent herein. The matter has been entire issue between me and the respondent 2 and 3 is now amicably settled and compromised."

5. It is admitted by the parties that Vimala is more than 18 years of age and that, the marriage was solemnised only after she attaining majority.

6. The Hon'ble Supreme Court in Narindar Singh and Others v. State of Punjab and another reported in (2014) 6 SCC 466, has held that in cases of this nature, if the parties arrived at compromise, the proceedings can be quashed.

In view of the above, the FIR in Crime No.66 of 2015 on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is closed.

sms

s/d-
Assistant Registrar(CS-II)

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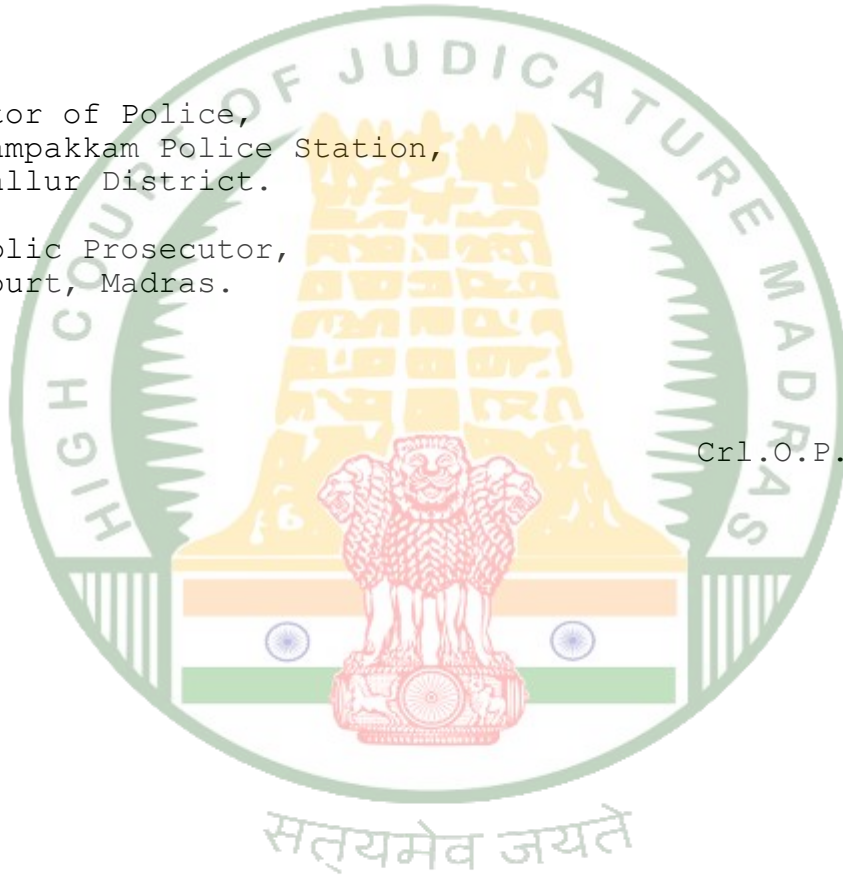
Sub-Assistant Registrar

To

1. Inspector of Police,
Pullarampakkam Police Station,
Thiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

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