

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

CrI.O.P.No.2650 of 2015

and M.P.No.1 of 2015

1.Mr.Riyaz Ahmed

2.Mrs.S.Shameena Begam

.. Petitioners

vs.

1.State Rep. By

Inspector of Police,
Namakkal Police Station,
Namakkal District.

2.Mrs.S.Karthikeswari

..

Respondents/ Complainant /
Defacto Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records relating to the proceedings dated 22.02.2014 in Crime No.182 of 2014 on the file of the Inspector of Police, Namakkal Police Station, Namakkal District and to quash the same.

For Petitioners : Mr.M.Xavier

For Respondents : Mr.M.Maharaja
Additional Public Prosecutor for R1

O R D E R

This petition has been filed under Section 482 CrPC, seeking to quash the F.I.R in Crime No.182/2014, pending on the file of the first respondent.

2. The petitioners are named as accused and as per the complaint given by the defacto complainant, his daughter was kidnapped by the petitioners and the case was registered in Crime No.182/2014, for the offences under Sections 366 and 109 IPC, on the file of the respondent police. It is submitted by the learned counsel for the petitioners that the victim girl Gayathri alias Reshma, who was alleged to have been kidnapped by the petitioners, was a major and she went on her own volition and converted herself to Islam and married the first petitioner and she also gave an affidavit to that effect and therefore, prays quash of F.I.R.

3. The learned Additional Public Prosecutor submitted that if the victim girl appears before the police and gives statement, the police will act according to to her statement and close the file.

4. Hence, this Criminal Original Petition is disposed of with a direction to the petitioner to produce the victim girl before the respondent police, who, on such production, is directed to conduct enquiry with the victim girl Gayathri to ascertain her age to find out whether she is a major or not and if she deposes that she went on her own volition without any compulsion or force by the petitioners, the respondent police is directed to take further action in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd /-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

jvm
To

1. Inspector of Police,
Namakkal Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 C.C. TO MR.Xavier Advocate Sr.5992

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