

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04..10..2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.21382 of 2016

Selvaraj

... Petitioner

-Versus-

1.The State of Tamil Nadu,
Rep. by Inspector of Police,
Sirumugai Police Station,
Coimbatore District.

2.The Vijaya

... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C. praying to call for the records relating to the case in FIR in Crime No.49 of 2008 on the file of the 1st respondent police and to quash the same.

ORDER

This petition has been filed seeking to quash the case in Crime No.49 of 2008 pending on the file of the 1st respondent police.

2. On the complaint lodged by the de facto complainant Selvaraj S/o.Karupannan, the father of the 2nd respondent herein that his daughter Ms.Vijaya has been kidnapped, the 1st respondent police has registered a case in Crime No.49 of 2008 on 02.04.2008 for offence under Section 366(A) of IPC against the petitioner K.Selvaraj, the petitioner herein for quashing which the petitioner is before this court with this original petition on the ground that the parties have arrived at a compromise.

3. Today, Mr.P.Senthilkumar, Sub Inspector of Police, Sirumugai Police Station, is present. The petitioner K.Selvaraj and the 2nd respondent Ms.Vijaya are present in court along with their two children. They are identified by the Sub Inspector of Police.

4. It is seen from the records that K.Selvaraj has married the 2nd respondent Vijaya on 25.03.2008 and that they have two children through the wedlock. When the 2nd respondent was inquired by this court she stated that she has been happily living with the petitioner and her two children, but, unfortunately, her father had passed away on 06.01.2016. The 2nd respondent has also filed an affidavit wherein in para 3 to 5 it is stated as follows:-

"3. I submit that after completing my 10+2 I was staying in my house and loved the petitioner. Since my father objected, I had on my own gone to the petitioner's house which was not liked by my father hence the complaint was lodged and case was registered. I submit that subsequently, I had married the petitioner and living with the petition for the past 7 years. We have two sons aged 6 years and 3 years.

4. I submit only for a period of one year we were living separately and thereafter came to my father house and living there till date. My father died on 6-1-2006 and now I am living with my husband the petitioner and the mother in father's house.

5. I submit that initially my father did not like me marrying the petitioner and lodged the complaint however; my father had accepted my marriage with the petitioner and we are living together. But the criminal case registered is still pending. I have no object in quashing the above said criminal case and allowing the quash petition since I have compromised."

5. The parties have also filed a joint compromise memo also.

6. In view of the above, this criminal original petition is allowed and the FIR in Crime No.49 of 2008 on the file of the 1st respondent police is hereby quashed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Inspector of Police, Sirumugai Police Station, Coimbatore District.

2.The Public Prosecutor, High Court, Madras.

+lcc to Mr.M. Devaraj, Advocate, S.R.No.57146

ev(CO)

md 10/11/2016)

Crl.O.P.No.21382 of 2016



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