

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.21685 of 2016 & Crl.M.P. Nos.10030 and 10031 of 2016

1 R. Ashok Joseph Vijay
2 A. Andrew Joseph Petitioners/Accused

vs.

1 State represented by:
the Inspector of Police
El, Ponneri Police Station
2 M. Jayaraj Respondents/Complainant

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the records in Crime No.43 of 2016 pending on the file of El-Ponneri P.S. at Thiruvallur District and quash the same.

For petitioners M/s.G.A. Girija Venkataramanan
For R1 Mr. C. Emalias, Addl. Public Prosecutor
For R2 Mr. A. Srinivasan

ORDER

This Criminal Original Petition has been filed seeking to call for the records in Crime No.43 of 2016 pending on the file of El-Ponneri P.S. at Thiruvallur District and quash the same.

2 On the complaint of one Jayaraj, the second respondent/de facto complainant, the first respondent police registered a case in Crime No.43 of 2016 on 28.01.2016 under Section 365 IPC against Ashok Joseph and Andrew Joseph, seeking quashment of which, the accused are before this Court on the ground that they have arrived at an amicable settlement with the second respondent/de facto complainant.

3 It is the case of the second respondent/de facto complainant that his daughter Joy Sharon, aged about 24 years, working as an IT professional, did not return home on 23.01.2016

and that she was abducted by the petitioners herein. Hence, the FIR.

4 It appears that Joy Sharon was in love with Ashok Joseph Vijay (A1) and both of them had eloped. After the FIR was registered, they both surrendered before the police.

5 Today, Jayaraj, the de facto complainant, his wife Airin Jayaran, their daughter Joy Sharon and the petitioners are present and they are identified by Mr. P. Kumaraj, Head Constable (924), who is also present before this Court.

6 Today, Jayaraj and Joy Sharon have filed individual affidavits stating that they have arrived at an amicable settlement with the petitioners and are praying for quashment of the FIR. The relevant portion of their affidavits is as under:

"7. I further submit that for the reasons stated hereinbefore, I hereby give my consent to withdraw the criminal proceedings in Crime No.43 of 2016 pending on the file of E1 Ponneri Court as against the petitioners."

In view of the above, the proceedings in Crime No.43 of 2016 is hereby quashed and this Criminal Original Petition is allowed. Connected CrI.M.Ps. are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad
To

- 1 The Inspector of Police
E1, Ponneri Police Station
Thiruvallur District
- 2 The Public Prosecutor
Madras High Court
Chennai 600 104

+lcc to Mr.GA. Grija, Advocate, S.R.No.53467

cnr (CO)
md (8/11/2016)

CrI.O.P. No.21685 of 2016