

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.22301 OF 2016 &
CRL.M.P.No.10371 of 2016

Ramu @ Ramaraj

.. Petitioner

versus

1. The State, represented by
Inspector of Police,
Thirukoilur Police Station,
Villupuram District.

2. Elumalai

.. Respondents

Prayer: This petition is filed under Section 482 Cr.P.C., praying to call for the records relating to the FIR in Crime No.345 of 2016 pending on the file of the Thirukoilur Police Station, Villupuram District and quash the same.

For Petitioner : Mr.Guruprasad for
M/s.D.Lakshmipathy

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This petition is filed, praying to call for the records relating to the FIR in Crime No.345 of 2016 pending on the file

of the Thirukoilur Police Station, Villupuram District and quash the same.

2. On the complaint lodged by Elumalai, 2nd respondent herein, the respondent police registered a case in Crime No.345 of 2016 initially for woman missing since the wife of Elumalai along with her son, was missing from 21.6.2016 onwards. Thereafter, during the course of investigation, it came to light that the petitioner had allegedly enticed the wife of the 2nd respondent and abducted her with the child.

3. Learned Additional Public Prosecutor submitted that both the victim and child have been secured and the petitioner has been granted bail.

4. Learned counsel for the petitioner would submit that the victim lady is aged about 25 years, appeared herself before the Sessions Court, Villupuram and stated that she had on her own volition, left the matrimonial home and nobody kidnapped her and on the strength of which, the petitioner was granted bail.

5. It is reported that the investigation is still pending. Mere coming out on bail on the statement given by the victim, alone, in the opinion of this Court, cannot be a reason to quash the FIR even before conclusion of the investigation.

6. In view of the above, this Criminal Original Petition is dismissed. The first respondent police is directed to complete the investigation as expeditiously as possible, taking into consideration of the statement made by the victim before the Sessions Court. It is needless to state that if the victim had gone on her own volition and not by compulsion of anyone including the petitioner, the prosecution will get closed.

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03.10.2016

P.N.PRAKASH, J.

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