

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6990 of 2016

T.Srinivasan

.. Petitioner

.. Vs ..

1. The Commissioner of Police,  
Greater Chennai,  
Vepery, Chennai - 600 007.

2. State by Inspector of Police,  
All Women Police Station,  
Ambattur, Chennai - 600 094.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 2nd respondent police to investigate and file a FIR upon the petitioner's complaint given on 03.03.2016 before the 1st respondent.

For Petitioner : Mr.P.S.Muralidhara Rao

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

ORDER

The petitioner has come forward with the present petition seeking for a direction directing the 2nd respondent police to investigate and file a FIR upon the petitioner's complaint given on 03.03.2016 before the 1st respondent.

2. The learned counsel for the petitioner would submit that the petitioner's daughter viz., S.Abrishaa has been missing and immediately, the petitioner has given a complaint and a Habeas Corpus Petition has been filed on 05.02.2016 and the girl was produced before the police station where she has stated that she married to one Dhinesh, who is aged about only 19 years. It is further stated that since the petitioner's daughter is aged about 21 years, the petitioner has given another complaint to hand over his daughter to him stating that the marriage is invalid because the girl is aged about 21 years and the boy is aged about 19 years. Hence, the learned counsel for the petitioner prays for a direction.

3. At this juncture, the learned Additional Public Prosecutor would submit that on the basis of the complaint given by the petitioner, a case been registered as "girl missing" and the girl was produced and now she is a major, aged about 21 years and she has stated that she already got married to one Dhinesh, who is aged about 19 years and hence, prayed for dismissal of the petition.

4. It is admitted by both sides that the age of the missing girl is 21 years and she got married to one Dhinesh, who is aged about 19 years. The question as to whether the marriage is valid or invalid has to be decided in the Court of law and not in the Forum which dealing with the petition filed under Section 482 of Cr.P.C.

5. In such circumstances, I am of the view that the petitioner is not entitled to any relief. Hence, this Criminal Original Petition deserves to be dismissed and accordingly, it is dismissed.

Sd/-  
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,  
Greater Chennai,  
Vepery, Chennai - 600 007.
2. The Inspector of Police,  
All Women Police Station,  
Ambattur, Chennai - 600 094.
3. The Additional Public Prosecutor,  
High Court, Madras.

CRL.O.P.No.6990 of 2016

kgk(CO)  
srg(13/04/2016)