



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.2063 of 2016

Nagalakshmi ..Petitioner/Victim Girl

Vs

1.The State represented by
The Sub Inspector of Police,
Veerapandi Police Station,
Theni District. .. 1st Respondent/Complainant

2.Krishnamoorthy .. 2nd Respondent/Defacto complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records on the file of the second respondent in Crime NO.283 of 2014 and quash the same as illegal.

For Petitioner :Mr.M.A.M.Raja

For Respondents :Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor
for R.1

O R D E R

This petition has been filed to call for the records on the file of the second respondent in Crime No.283 of 2014 and quash the same as illegal.

2. Heard Mr.M.A.M.Raja, learned Counsel appearing for the petitioner and Mr.C.Mayil Vahana Rajendran, learned Additional Public Prosecutor appearing for the State.

3. The case of the prosecution is that the petitioner Nagalakshmi is the daughter of Krishnamoorthy, second respondent herein and that when Nagalakshmi went missing, Krishnamoorthy lodged a complaint, based on which, a case in Cr.No.283 of 2014 for girl missing has been registered on 19.08.2014 by the respondent police and during the course of investigation, it appears that Nagalakshmi is a minor and she was kidnapped by one Kalimuthu.



4. This quash application has been filed by Nagalakshmi on the ground that she has married Kalimuthu.

5. The learned Additional Public Prosecutor submitted that Nagalakshmi's date of birth is 17.05.1999 and that she is a minor and therefore, the police are going to alter the case from one under girl missing to the offences under the Protection of Children from Sexual Offences Act, 2012.

6. Be that as it may, in the considered opinion of this Court, the petitioner has no *locus standi* to quash the prosecution lodged against the accused. Hence, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

ssl
To

1.The Sub Inspector of Police,
Veerapandi Police Station,
Theni District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.A.M.Raja Advocate Sr.No.7827

CN/GSV/AN/12.2.16-2p-4C

Crl.O.P.(MD)No. 2063 of 2016
05.02.2016