

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36065 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed to direct respondents 2 to 6 not to interfere with the peaceful and personal life of the petitioner.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner, who is major, fell in love with the 7th respondent and married him on 12.04.2016. The 6th respondent, who is the father of the petitioner, aggrieved over the said marriage, preferred a complaint by making several allegations against the 7th respondent as the petitioner is missing. The 3rd respondent registered the said complaint as Crime No.131 of 2016 against the 7th respondent. Subsequently, the petitioner was secured by the 3rd respondent police and she was detained in the 5th respondent rescue home on the ground that she is a minor. The petitioner escaped from the 5th respondent rescue home and joined with the 7th respondent again and the 3rd respondent altered the provisions of law as Sections 366(A) and 376(2)(N) of IPC and Section 4 of POSCO Act in the said crime.

When the matter is posted today for hearing, both the petitioner and the 7th respondent appeared before the Court and on enquiry, it is revealed that the petitioner went out of the house on her own will and married the 7th respondent and the 7th respondent also informed that he has married the petitioner and presently he is working as a Sales Executive in a transport company and the petitioner has also informed that she intend to continue her life with the 7th respondent.

Considering the said facts and circumstances of the case, the Writ Petition is disposed of with the following direction:

The 3rd respondent is directed not to interfere in the affairs of the petitioner and the 7th respondent in the name of investigation and further, the proceedings in Crime No.131 of 2016 against the 7th respondent for the offences punishable under Sections 366(A) and 376(2)(N) of IPC and Section 4 of POSCO Act, is hereby quashed.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 28th October, 2016

KL

