

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.17691 of 2017
and Crl.M.P.No.10822 of 2017

Prabakaran

..

Petitioner

Vs.

1.State, represented by
The Inspector of Police,
Vellore West Police Station,
Vellore District.
(Crime No.421/2015)

2.Dhamodhiran

..

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the Crime No.421 of 2015
on the file of the Vellore Police Station, Vellore to quash the same.

For Petitioner : M/s.C.Prabakaran

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor (for R1)
No Appearance (for R2)

ORDER

It is the case of the petitioner that he had love affair with one Deepa, who is the daughter of the second respondent. In consequence of the FIR, the said Deepa had eloped with the petitioner and subsequently they got married.

2. The learned counsel for the petitioner would submit that marriage took place in a Temple and they are living peacefully and happily together.

3. The de-facto complainant, on the other hand, had given a complaint stating that the petitioner had kidnapped his daughter and hence, a complaint in Crime No.421 of 2015 is registered against the petitioner for the offence under Section 365 IPC.

4. On a mere perusal of the complaint, it is seen that the petitioner and the de-facto complainant's daughter were major at the point of marriage. Furthermore, it is now being represented by the learned counsel for the petitioner that the de-facto complainant's daughter as well as the petitioner are living

peacefully. When that being the case, it is not proper to permit the first respondent-police to conduct the investigation against the newly married couple. Above all, it is brought to the notice of this Court that the de-facto complainant has also expired pending investigation.

5. In the above background, I do not find any reason, as to why the investigation should continue as against the petitioner. In the result, the Criminal Original Petition stands allowed. Consequently, the investigation in Crime No.421 of 2015 on the file of the Vellore Police Station, Vellore stands quashed as far as the petitioner is concerned. Consequently, connected Miscellaneous Petition is closed.

14.09.2017

Index:Yes/No

Note: Issue order copy on 15.09.2017

pvs / dh

To

- 1.The Inspector of Police,
Vellore West Police Station,
Vellore District.
- 2.The Public Prosecutor,

High Court, Madras.

M.S.RAMESH.J.,

pvs / dh



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