

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.27620 of 2018

B.Gopi M/A 23 years
S/o.Babu

... Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District,
Crime No.167 of 2018.

2. Revathi
W/o.Venkatarathinam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to the F.I.R. in Crime No.167 of 2018 pending investigation on the file of the Inspector of Police, Thirupalaivanam Police Station, Thiruvallur, quash the same.

For Petitioner : Mr.A.Balamurugan
For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

The petitioner and the daughter of the second respondent are already married on 09.11.2018 and the same has also been registered before the District Registrar, Chennai on 12.11.2018. Therefore, the learned counsel would submit that no useful purpose will be served by keeping the F.I.R. pending in this case.

2. The second respondent's daughter namely Lakshmi Priya was present before this Court. This Court also examined her. She categorically stated that she had a love affair with the petitioner for more than two years and her parents did not agree for the marriage. Since, the petitioner and Lakshmi Priya belong to different caste. She further stated that she went along with

the petitioner on her own on 07.11.2018 and the allegations made by her mother in the complaint that the petitioner had kidnapped her in order to extort money and gold, is completely false. She further stated that she is living happily with the petitioner at Velacherry. She further stated that till today her parents have not accepted her marriage. The petitioner was also present before this Court along with his parents.

3. Admittedly, in this case, the petitioner and the daughter of the second respondent were in love with each other for more than two years and they have got married on 09.11.2018. The same has also been registered on 12.11.2018 before the District Registrar, Chennai. The certificate of registration of marriage has also been produced before this Court. In view of this development, no useful purpose will be served by keeping the F.I.R. pending. It fact it will unnecessarily affect the peace in the family of the petitioner and his wife Lakshmi Priya. In view of the statement made by the said Lakshmi Priya, no offence under Section 363 I.P.C is made out. Therefore, this Court has to necessarily interfere with the F.I.R., in exercise of its jurisdiction under Section 482 of Cr.P.C.

4. In the result, the F.I.R. in Crime No. 167 of 2018, pending on the file of the first respondent is hereby quashed. Accordingly, this Criminal Original Petition is allowed.

rri/lpp

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Balamurugan, Advocate, S.R.No.81451

CRL.O.P.No.27620 of 2018

RR(CO)
KAK(27/12/2018)