



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.19456 of 2018

Parthiban : Petitioner/Sole Accused

Vs.

1. State rep.by
The Inspector of Police,
Thallakulam Police Station,
Madurai City.
(Crime No.371 of 2018) : 1st Respondent/Complainant
- 2.Ravi : 2nd Respondent/De-facto
Complainant
- 3.Bhuvaneshwari : 3rd Respondent/Victim

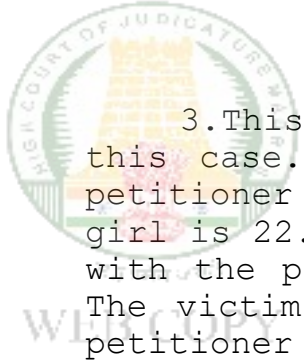
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with Special S.C.No.114 of 2018, on the file of the Mahila Court, Madurai District and quash the same as illegal.

For Petitioner : Ms.S.Poorna Chandran
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[CrI. side]
For R-2 and R-3 : Mr.S.Vijayakumar

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Special S.C.No.114 of 2018, on the file of the learned Mahila Court, Madurai District.

2. The respondent police registered a case in Crime No.371 of 2018, as a girl missing case. Subsequently, the First Information Report was altered to Section 5(1), 6 of the Protection of Children from Sexual Offences Act, 2012, against the petitioner. Thereafter, the investigation was conducted by the respondent police and a final report was also filed before the Court below and the same was taken on file in Spl S.C.No.114 of 2018. This Court directed the parties to be present today. Accordingly the parties were also present.



3. This Court enquired Bhuvaneshwari, who is the victim girl in this case. She made a statement that she was in love with the petitioner for more than two years. The date of birth of the victim girl is 22.05.2000. The victim girl states that she was got married with the petitioner on 04.06.2018 and she is four months pregnant. The victim girl also stated that no offence was committed by the petitioner and the case has to be closed and no useful purpose will be served in keeping the case pending.

4. The de-facto complainant, who is the father of the victim girl was also present before this Court. When this Court enquired the de-facto complainant, he stated that his daughter has married the petitioner and therefore, he does not want to prosecute the case any further.

5. In view of the above development, no useful purpose will be served by keeping the proceedings in Spl.S.C.No.114 of 2018, pending before the Court below. Since the petitioner has already married the victim girl and they are living happily together, the proceedings before the Court below has to be necessarily quashed by this Court in exercise of its jurisdiction under Section 482 of the Code of Criminal Procedure.

6. In the result, the proceedings in Special S.C.No.114 of 2018, on the file of the learned Mahila Court, Madurai District, is hereby quashed. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Judge, Mahila Court, Madurai District.
2. The Inspector of Police,
Thallakulam Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.POORNA CHANDRAN, ADVOCATE IN SR No. 94004

SJI

TE/SV/SAR-1 : 12/12/2018 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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