



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P (MD)No.14852 of 2018

and

Cr1.M.P. (MD) .No.6595 of 2018

1.Ramesh
2.Lakshmi
3.Suthakar
4.Kala @ Kalai Selvi : Petitioners/Accused 1 to 4

Vs.

1. State of Tamil Nadu,
rep. By the Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Cr.No.11 of 2018) : 1st respondent/Complainant
2.Manimegalai : 2nd respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No. 11 of 2018 on the file of the 1st respondent police and to quash the same.

For Petitioner : Mr.N.Pragalathan
For Respondent : Mrs.S.Bharathi
Government Advocate
(Cr1.Side) for R-1

O R D E R

This petition has been filed to quash the F.I.R in Cr.No.11 of 2018. A complaint was given by the second respondent to the effect that her daughter Manju, who was studying in the Nursing College at Oddanchatram was kidnapped on 16.01.2018 by the petitioners. Based on the complaint, an F.I.R cam to be registered by the first respondent in Cr.No.11/18 for an offence under Section 366-A I.P.C.

2.This Court directed the first petitioner and the said Manju to be produced before this Court.

3.Today, the first petitioner, T.Manju and the fourth petitioner, who is the mother of the first petitioner are present before the Court.



4.This Court enquired T.Manju and found that she fell in love with the first petitioner and she has married him on 22.04.2018. She further stated that her date of birth is 04.03.2000 and on the date of marriage, she was a major. The Higher Secondary School Certificate given by the State Board of School Examinations, Tamil Nadu is also produced before the Court, wherein, date of birth of the said T.Manju is found as 04.03.2000. The first petitioner, who is also present in person also stated that he has married T.Manju and both of them are living in the matrimonial house at Vadavilai Village, Kanyakumari District.

5.Taking into consideration of the fact that the said T.Manju was a major on the date when she married the first petitioner and the first petitioner and T.Manju are already leading a happy married life, no useful purpose will be served by keeping this F.I.R pending.

6.Taking into consideration the facts and circumstances of the case, this Court, in exercise of its jurisdiction under Section 482 Cr.P.C, hereby quashes the F.I.R in Cr.No.11 of 2018. This Criminal Original Petition accordingly is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Pragalathan, Advocate Sr.No.80949

VS

VB/SKN/SAR3/24.09.2018/2P/4C

Order made in
CRL.OP.(MD)No.14852 of 2018
29.08.2018