



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13456 of 2021
and Crl.M.P.No.7390 of 2021

Ramya

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District.

2.Alamelu Ramalingam

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash FIR No.139 of 2021 on the file of the Elavanasoorkottai Police Station, Kallakurichi District dated 19.04.2021.

For Petitioner : M/s.V.Chethana

For R1 : Mr.A.Damodaran
Government Advocate [Crl. Side]

O R D E R

The Criminal Original Petition has been filed to call for the records and quash FIR No.139 of 2021 on the file of the Elavanasoorkottai Police Station, Kallakurichi District dated 19.04.2021.

2.Earlier FIR came to be registered on the complaint of Alamelu Ramalingam for missing of her daughter viz., Ramya, who is the petitioner herein.

3.The contention of the petitioner is that on the guise of the pendency of the above said FIR, the petitioner has been constantly harassed by her mother and their relatives. She disclosed that she was a queer person belonging to LGBTQIA Community. The petitioner is a major, who consciously and deliberately left her native to escape from her abusing family members and she is now living with her friend Nivetha in Namakkal



and employed there. Earlier the petitioner had sent a detailed representation to the respondent police on 22.06.2021. Thereafter the said petitioner had filed a Criminal Original Petition in CrI.O.P.No.10880 of 2021 before this Court seeking police protection and this Court by an order dated 25.06.2021, which was also for similar harassment. This Court in a Writ Petition in W.P.No.7284 of 2021 dated 07.06.2021 had issued certain protection and guidelines/directions for the LGBTQIA+ Community. The petitioner had appeared before the respondent police and given a representation stating that the complaint given against her in FIR No.139 of 2021 is to be closed.

4.The learned Government Advocate (CrI. Side) appearing for the respondent police submitted that in view of the direction issued by this Court in W.P.No.7284 of 2021 and further finding that the petitioner is a major and she had left the home on her own. The respondent police had completed the investigation and filed the final report on 10.08.2021 and RCS Notice served to the defacto complainant stating that FAD (Further Action Dropped) and the closure report filed before the Judicial Magistrate Court No.I, Ulundurpet and the copy of the same is produced before this Court. In view of the same nothing survives for adjudication in this matter.

5.In view of the above submission, this Criminal Original Petition stands closed. Consequently, the connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.V.Chethana, Advocate Sr No.39911

CrI.O.P.No.13456 of 2021

GPL (CO)
PR (01/09/2021)