



Crl.R.C.No.177 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.177 of 2022

Prabanjan, aged 23 years
S/o. Dhanapal

... Petitioner

Versus

The State rep by the Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.

... Respondent

Prayer : Criminal Revision Petition filed under Section 397 r/w 401 of the Code of Criminal Procedure to set aside the order passed in Cr.M.P.No.778 of 2021 in Spl.S.C.No.06 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, dated 22.11.2021

For Petitioner : Mr. P.Saravanan

For Respondent : Mr.S.Vinoth Kumar
Govt. Advocate (Crl. Side)



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ORDER

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This revision is filed aggrieved by the order of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri dated 22.11.2021 in Cr.M.P.No.778 of 2021 in Spl.S.C.No.06 of 2021 in and by large, discharge petition filed by the petitioner is dismissed by the learned Trial Court.

2.The gist of the allegation in this case is that the 1st accused, in this case enticed the minor child and kidnapped her by taking her away from the lawful guardian. The allegation against the petitioner is that on the day of occurrence, in the middle of the night, 1st accused called the victim girl out of her house and thereafter told her that they can sit in the car and talk and when the girl sat in the car, 1st accused told her that her parents will not accept for their marriage and started the car and started driving away. On the way the car met with an accident and therefore, he telephonically called A2 and A3 who came in another car dropped them in Krishnagiri bus stand from where they went to Madurai bus stand.



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3.Considering the same allegations against the A2 and A3, already vide a detailed order dated 28.01.2022 in Crl.R.C. No.848 of 2021, this Court considered the issue in respect of A3 in this Case and considering the fact that the allegations against A2 and A3 *per se* does not attract any offence and discharged A3 in this case. This petitioner is also placed on the same and similar situation to that of that petitioner and accordingly I am of the view that even as against this petitioner, there is no any other materials or basis to frame any charge as alleged in the final report and therefore, this is a fit case to discharge the petitioner, following the same reasoning of this Court in Crl.R.C.No.848 of 2021.

4. Accordingly, this revision stands allowed. The order dated 22.11.2021 in Cr.M.P.No.778 of 2021 in Spl.S.C. No.6 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri is set aside and the petitioner stands discharged from the case.

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Index : yes/no
Speaking order/Non-speaking order
gba



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To

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1. The Sessions Judge, Fast Track Mahila Court,
Krishnagiri.
2. The Superintendent of Prison,
Central Prison,
Cuddalore.
3. The Public Prosecutor,
Madras High Court.
4. Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.



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D.BHARATHA CHAKRAVARTHY. J.,

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