



WEB COPY



Crl.O.P No.17644 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17644 of 2023

and

Crl.M.P.No.11578 of 2023

Velu @ Velmurugan
S/o.Rajendran

... Petitioner

vs.

1.The State represented by
The Inspector of Police,
Police Station,
Villupuram District.

2.Kasinathan
S/o.Thandapani

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records and quash the First Information Report registered in Crime No.52 of 2022 against the petitioner pending on the file of first respondent police.

For Petitioner : Mr.Rajkumar Paul
for Mr.Abdul Dashthir

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



Crl.O.P No.17644 of 2023

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.52 of 2022 on the file of first respondent.

2. The second respondent had given a complaint before the first respondent to the effect that his daughter Sowmiya went missing on 04.03.2022 and that she was not traceable in spite of his best efforts. Based on the same, the first respondent registered a case in Crime No.52 of 2022 as 'woman missing'. Later, the First Information Report was altered and it was registered for offence u/s.366 IPC as against four accused persons. The petitioner has been arrayed A3.

3. Heard Mr.Rajkumar Paul, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

4. The girl, who is said to be missing viz., Sowmiya was present before this Court. She stated that her date of birth is 15.01.2003 and that she has married one Mohanraj on 03.03.2023 and that she is living happily with him. She further stated that the petitioner is noway involved in this case and that she



Crl.O.P No.17644 of 2023

does not know him. Mr.Mohanraj was also present before this Court and he stated that he has married the above said Sowmiya and he also confirmed the fact that the petitioner (A3) has nothing to do with this case.

5. Taking into consideration the facts and circumstances of the case and the specific stand taken by Sowmiya and Mohanraj, this Court is of the considered view that the continuation of investigation against the petitioner (A3) will amount to abuse of process of law, which requires the interference of this Court. Considering the further developments that have taken place in this case, no useful purpose will be served in keeping the First Information Report pending.

Accordingly, this Criminal Original Petition is allowed and the proceedings in Crime No.52 of 2022 on the file of first respondent is hereby quashed in its entirety. Consequently, connected miscellaneous petition is closed.

07.08.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



Crl.O.P No.17644 of 2023

To

1.The Inspector of Police,
Police Station,
Villupuram District.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P No.17644 of 2023

N. ANAND VENKATESH., J
gm

Crl.O.P No.17644 of 2023

07.08.2023