



Crl.O.P.(MD)No.15794 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.15794 of 2023

and

Crl.M.P.(MD) Nos.12563 and 12564 of 2023

Muniselvam

... Petitioner

Vs.

1.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
(Crime No.162 of 2022).

2. Ramesh

.... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of Impugned Charge Sheet in S.C.No.163 of 2023 on the file of Sessions Judge, Mahila Court, Srivilliputhur and quash the same.

For Petitioner : Mr.P.Edin Brough

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl Side)
for R1
Mr.M.Jothi Basu for R2



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ORDER

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This petition has been filed seeking to quash the proceedings pending in S.C.No.163 of 2023 on the file of the learned Sessions Judge, Mahila Court, Srivilliputhur.

2.The second respondent, who is the father of the victim girl gave a complaint to the effect that his daughter was missing. Based on the same, a girl missing FIR was registered. Subsequently, it came to light that the petitioner had forcibly kidnapped the girl and had gone to Munnar.

3.Heard the learned counsel for the petitioner, the learned Government Advocate appearing on behalf of the first respondent and the learned counsel appearing for the second respondent.

4.The petitioner was 19 years at the relevant point of time and the victim girl was aged about 17 years. It is quite apparent from the statement recorded from the victim girl under Section 164 of Cr.P.C that



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there was a love affair and the girl had voluntarily gone with the petitioner to Munnar. It is in view of the fact that both of them had a love affair. It is therefore clear that the ingredients for constituting an offence of kidnapping is not present in the case.

5.In the light of the above discussion, the continuation of the proceedings as against the petitioner will result in abuse of process of law and it requires the interference of this Court. Accordingly, the proceedings in S.C.No.163 of 2023 on the file of the learned Sessions Judge, Mahila Court, Srivilliputhur, is hereby quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

18.12.2024

NCC	:	Yes / No
Index	:	Yes / No
Internet	:	Yes / No
PKN		



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To

- 1.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court.



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N.ANAND VENKATESH,J.

PKN

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