

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.24798 of 2015

B.Deepa

...Petitioner

Vs.

State represented by
Inspector of Police,
All Women Police Station,
Gudiyatham.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondent to register the case for offence under Sections 406, 494 IPC as against the petitioner's husband and investigate the same on the basis of the complaint filed by the petitioner in C.M.P.No.2795/2014 (on the file of Judicial Magistrate, Gudiyatham).

For Petitioner : Mr.D.Rajagopal
For Respondent : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register the case for offence under Sections 406, 494 IPC as against the petitioner's husband and investigate the same on the basis of the complaint filed by the petitioner in C.M.P.No.2795/2014 (on the file of Judicial Magistrate, Gudiyatham).

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. On the complaint lodged by the petitioner against her husband, the respondent police have registered a case in Crime No.3 of 2014 under Sections 498A, 506(i) IPC.

4. It is the grievance of the petitioner that though her complaint disclosed an offence of bigamy under Section 494 IPC, the respondent police have not included the said offence.

5. In view of the above, second FIR cannot be registered for the same of cause of action. Therefore, this Court directs the respondent police to look into the grievance of the petitioner and if there is any sufficient material for invoking 494 IPC, it is needless to say that the same may be added in the final report.

In the result, this Criminal Original Petition is closed.

sd/
ASSISTANT REGISTRAR (CS-VII)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sms

To

1. Inspector of Police,
All Women Police Station,
Gudiyatham.

2. The Public Prosecutor
High Court, Madras.

+1 CC to MR.D.Rajagopal Advocate. SR.NO. 59344

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CO-SK
JD 06/11/2015

सत्यमेव जयते

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