

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.8841 of 2016

A.Hajeerah

..Petitioner

Vs

1. The Commissioner of Police
Salem City, Salem.
2. The Inspector of Police
Annadanapatty Police Station
Yethapur, Attur Taluk
Salem District - 636 117
Cr.No. 209 of 2015

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent police to conduct enquiry and alter the penal provisions in Cr.No. 209 of 2015 on the file of the second respondent police.

For Petitioner : Mr. T.Sundaravadanam

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the second respondent police to conduct enquiry and alter the penal provisions in Cr.No. 209 of 2015 on the file of the second respondent police.

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

3. It is seen that the petitioner got married to one I.Imran on 14.02.2015 and their matrimonial life ran into rough weather. It is alleged that her husband viz., Imran went missing, in connection with, the petitioner lodged a complaint on 07.02.2015, based on which, a case in Cr.No. 209 of 2015 was registered on 10.05.2015 for man missing. During the course of investigation, the police were able to find out the whereabouts of the said Imran and now, the said person has been secured.

4. It is the contention of the petitioner that there are other allegations as against Imran and therefore, the penal provisions are required to be altered in Cr.No.209 of 2015.

5. In the considered opinion of this Court, such a direction under Section 482 of Cr.P.C cannot be given, in view of the fact that the initial contention was that the petitioner's husband had gone missing and now, he has come back. Hence, it is open to the petitioner to take appropriate steps in accordance with law.

6. With the above observation, this Criminal Original Petition is closed.

sms

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police
Salem City, Salem.
2. The Inspector of Police
Annadanapatty Police Station
Yethapur, Attur Taluk
Salem District - 636 117.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.T.Sundaravadanam, Advocate SR 29285

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