

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.5095 of 2017

B.Ramani

... Petitioner/Informant

Vs

State rep. by its
Inspector of Police,
Arakkonam Town Police Station,
Vellore District. ... Respondent/Respondent
(Crime No.683 of 2016)

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to alter the offence as to include under sections 344, 346, 347, 363, 506(ii) IPC 1860 and include the persons (i)D.Lavidhya D/o.Dhanpal (ii)D.Gopinath S/o.Dhanpal as accused in Crime No.683 of 2016 on the file of the respondent police.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent police to alter the offences by including sections 344, 346, 347, 363 and 506(ii) IPC and also include one (i)D.Lavidhya D/o.Dhanpal and (ii)D.Gopinath S/o.Dhanpal as accused in Crime No.683 of 2016 pending on his file.

2. According to the petitioner, her husband Babu was stated to have been kidnapped by one D.Lavidhya with the help of her brother Gopinath, in order to marry him against his will, whereas, the respondent police has registered her complaint as FIR in Crime No.683 of 2016, relating to man missing case, without implicating any person as accused and without mentioning any offence. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondent.

4. Considering the nature of the relief sought for herein, this Court directs the petitioner to file a fresh complaint with regard to inclusion of the accused and alter the offences along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On filing such complaint, the respondent police is directed to consider the same and do the needful in accordance with law, within a period of two weeks thereafter.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Arakkonam Town Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Dayalan, Advocate SR.No.17241

VGI(CO)
GN(11/04/2017)

Cr1.O.P.No.5095 of 2017

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