

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11414 of 2019

Dr.EFCY

.. Petitioner

Vs

State rep. By
Inspector of Police,
All Women Police Station,
Villupuram
Crime No.6 of 2019

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to include the sections 294(b) 376, and 406 of IPC the F.I.R registered in Crime No.6 of 2019 on the file of respondent police based on the complaint dated 24.03.2019, 161 (3) statement given by the petitioner/Defacto complainant to the respondent dated 24.03.2019.

For Petitioner : Mr.S.Shanmuga Velayutham

For Respondent : Mr.C.Raghavan
Govt. Advocate (Crl. Side)

O R D E R

This petition has been filed seeking direction to the respondent police to include the sections 294(b) 376, and 406 of IPC the F.I.R registered in Crime No.6 of 2019 on the file of respondent police based on the complaint dated 24.03.2019.

2. It is seen from records the petitioner is a doctor and at the time of internship programme, one Dr.Arun who is the doctor in Government Hospital, Puducherry got love affair with the petitioner. Thereafter, he continuously spoke about the marriage and sexual intimacy with her. The petitioner's family have arranged engagement. Thereafter, Dr.Arun came to the petitioner's house and again had forcefully sexual intimacy with her. When the petitioner questioned about this, the accused's father used unparliamentarily words against the petitioner and demanded the dowry. Therefore, the petitioner lodged a complaint

before the respondent police in Crime No.6 of 2019 under Section 417 and 418 IPC and Section 4 of Women Harassment Act.

3. The learned counsel for the petitioner would submit that eventhough the said Dr.Arun committed an offence breach of trust, Cheating and Rape which is punishable under Section 294 (b), 376,406 IPC and also punishable under Dowry Prohibition Act, but the respondent police has not chosen any Section. Therefore, she filed the present petition with the aforesaid prayer.

4. Heard both sides.

5. Considering the facts and circumstances of the case, the petitioner is directed to submit all the supporting materials before the respondent. On receipt of the same if any offence meted out under Section 294, 376 and 406 IPC the respondent is directed to alter the offence as requested by the petitioner and the respondent is directed to complete the investigation within a period of three months from the date of receipt of a copy of this order.

6. With the above direction this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn

To

1. The Inspector of Police,
All Women Police Station,
Villupuram

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Shanmugavelayutham, Advocate, S.R.No.40453

Cr1.O.P.No.11414 of 2019

LN(CO)
SSM(06/06/2019)