

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.13327 of 2020

Deepa, F/28 years,
W/o.Manikandan,
S/o. Thavamani
Thalapallam Village,
Pickampatty Post,
Pennagaram Taluk,
Dharmapuri District.

.... Petitioner/Defacto Complainant

Vs.

State Rep., by

1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
AWPS Pennagaram Police Station,
Dharmapuri District.
(Cr.No.5 of 2020)

... Respondents/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the 2nd respondent to alter the offence as Section 498(A) IPC and to include u/s.506 (ii), 323, 312, 497 of IPC and Section 4 of Dowry Prohibition Act 1961 in Cr.No.5 of 2020 pending on the file of the respondent police and to file final report before the competent court.

For Petitioner : Mr.R.Jayapratap
for Mr.K.Gandhi Kumar

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction directing the second respondent to alter the offence as Section 498(A) IPC and to include u/s.506(ii), 323, 312, 497 of IPC and Section 4 of Dowry Prohibition Act 1961 in Cr.No.5 of 2020 pending on the

file of the respondent police and to file final report before the competent court.

2.The learned counsel appearing for the petitioner would submit that the petitioner is being the wife of one Maikandan. She was harassed and tortured by him. The said Manikandan and his family members also demanded huge dowry from the petitioner. Further, the petitioner was driven out from the matrimonial home. Even though there are a specific allegation alleged in the complaint, the second respondent did not register any case for other offence except 498(A) as against the husband and his family members. Hence, she filed this petition.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the crime is of the year 2020. On the complaint lodged by the petitioner, the second respondent registered the case for the offence under Section 498(A) of IPC and investigation is still pending and if any material attracts the other offences, the second respondent may be included the same in the FIR.

4.Considering the above submission, the second respondent is directed to complete the investigation, within a period of twelve weeks from the date of receipt of a copy of this order. After investigation, any incriminating material is available to attract the other offence as alleged by the petitioner, the second respondent is directed to include the said offence in the FIR and file a final report, within a period of twelve weeks, from the date of receipt of a copy of this order.

5.With the above observation this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vsn

To

1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
AWPS Pennagaram Police Station,
Dharmapuri District.

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3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.13327 of 2020

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GN(20/10/2020)



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