



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.No.12363 of 2021

S.Amsaveni

... Petitioner

Versus

State rep.by
The Inspector of Police,
Velacherry Police Station,
Adyar, Chennai District - 600 042,
Crime No.335 of 2019.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to conduct further investigation in Crime No.335 of 2019 based on the complaints given by the petitioner dated 8.12.2020 and 21.06.2021 and include all the offences committed by the accused and alter the FIR accordingly, thereafter.

For Petitioner : Mr.Shanavas
for Mr.A.Rajarajan

For Respondent : Mr.A.Damodaran
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the respondent police to conduct re-investigation in Crime No.335 of 2019 based on the complaints given by the petitioner dated 8.12.2020 and 21.06.2021 and to include all the offences committed by the accused and alter the F.I.R.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

3.The grievance of the petitioner is that on 29.04.2019 her husband went to work and he did not return home and the petitioner was unable to trace her husband. Hence, she filed a complaint to the respondent police on 01.05.2019 and the respondent police registered a case in Crime No.335 2019 'for



man missing'. After enquiry, the petitioner found that her husband taken some cash and gold jewels, which belongs to the petitioner from the matrimonial home and the in-laws of the petitioner requested her not to file any complaint in respect of the said offence. Subsequently, the in-laws of the petitioner threatened the petitioner to withdraw the complaint dated 01.05.2019. Thereafter, the petitioner on 08.12.2020 filed a detailed complaint by stating all true facts behind the man missing. However, the respondent police have not taken action till date. Hence, the present petition.

4.The learned Government Advocate (Crl.Side) would submit that investigation is in progress and at this stage, the respondent police need not alter the F.I.R.

5.In the light of the above facts, this Court directs the petitioner to give further statement to the respondent police, but, no positive direction can be issued to the respondent police to alter FIR. After conducting investigation if any incriminating materials are found, it is for the investigating agency, to file final report in which they can bring all the materials, add any person as accused and delete any person from the case.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ms

To

1. The Inspector of Police,
Velacherry Police Station,
Adyar,
Chennai District - 600 042.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Rajarajan, Advocate, S.R.No.34730

CRL.O.P.No.12363 of 2021

JPL(CO)
HS(18/08/2021)