



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.3960 of 2022

G.Nivadita Mariyal

... Petitioner

Vs.

1.The Inspector of Police,
W-28-AWPS,
Ambattur, 600 053.

2.The Commissioner of Police,
Avadi Commissionarate,
2/14, NH716, Kamarajapuram,
Chennai 600053.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleased to direct the respondents to alter the FIR in Crime No.2 of 2022 on the file of the first respondent police.

For Petitioner : Mr.S.Deepika

For Respondents : Mr.A.Gokulakrishnan

Additional Public Prosecutor

O R D E R

The petition has been filed seeking to direct the respondents to alter the FIR in Crime No.2 of 2022 on the file of the first respondent police.

2. The case of the petitioner is that on the complaint given by her against one Rahul Anand for having committed rape on her. The case was registered by the W-28, All Women Police Station, Ambattur in Cr.No.2 of 2022 for offence under Sections 417, 420, 506(i) of IPC.

3. It is the further grievance of the petitioner that the first respondent/Investigating Officer has not included the relevant provisions under the penal code and the first respondent, after registering the case had not conducted the



investigation properly and also not intimated about the registration of the FIR against the accused to the Director General of Civil Aviation. Being dissatisfied and aggrieved by the manner of investigation, the present petition has been filed by the petitioner/defacto complainant seeking to direct the respondent to alter the FIR in Cr.No.2 of 2022.

4. The learned counsel for the petitioner would submit that the petitioner is a co-pilot employed with Allinace Airlines during the year 2011. The petitioner had gone to Rae-barelli, State of Uttar Pradesh for training and she got acquainted with the accused who is a resident of Adambakkam, Chennai. Thereafter, they fell in love with each other from the year 2013-2021, the accused had on the promise of marrying her taken her to several places and had physical relationship with her and refused to marry her. The petitioner has given a complaint to the respondent on 11.01.2022, the respondent had not registered the case under the relevant provisions of IPC by including Section 376 IPC in the FIR.

5. The learned counsel would further submit the first respondent has not conducted the investigation properly and has not taken any steps to secure the accused and to intimate about the case registered against the said Rahul Anand to the Bureau of Civil Aviation, where the accused is registered as a Pilot.

6. Per contra, the learned Additional Public Prosecutor would submit that the petitioner had given a complaint on 11.01.2021, immediately the case was registered on the same day. The respondent has conducted the investigation in a proper manner. He would further submit that if the petitioner is not satisfied with the investigation done by the first respondent, a direction may be issued to the Assistant Commissioner of Police, Ambattur Range to monitor the investigation.

7. In view of the above, this Criminal Original Petition is disposed of, with a direction to the Assistant Commissioner of Police, Ambattur Range, to monitor the investigation conducted by the first respondent in Cr.No.2 of 2022. The 1st respondent shall complete the investigation as expeditiously as possible and file the final report.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jas/tsh



To

1.The Inspector of Police,
W-28-AWPS,
Ambattur, 600 053.

2.The Commissioner of Police,
Avadi Commissionarate,
2/14, NH716, Kamarajapuram,
Chennai 600053

3. The Public Prosecutor,
High Court of Madras.

Copy To

1.The Assistant Commissioner of Police,
Ambattur Range.

2.The Section Officer,
Criminal Section,
High Court, Madras 104.

+1cc to Mr.S.Deepika, Advocate SR.No.11646

Cr1.O.P.No.3960 of 2022

RSI (CO)
GN(16/03/2022)