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Crl.O.P.No.26255/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N. MANJULA

Crl.O.P.No.26255 of 2022

Illampermathi Tamizhmahal

...

Petitioner

/vs/

The State by

1.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Kottakuppam Police Station,
Villupuram District

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 Cr.P.C. to direct the 2nd respondent to include the relevant sections under the Dowry prohibition Act by appropriately altering the FIR in Crime No.28 of 2022 on the file of the 2nd respondent police.

For Petitioner

... M/s.R.Gobika

For Respondents

... Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to to direct the 2nd respondent to include the relevant sections under the Dowry prohibition Act by appropriately altering the FIR in Crime No.28 of 2022 on the file of the 2nd respondent police.

2. The petitioner is the defacto complainant who had filed a complaint against her husband by alleging matrimonial cruelty and other allegations and on the basis of the said complaint, an FIR has been registered in Crime No.28 of 2022 by the Kottakuppam Police Station for the offence under sections 294(b), 323, 498A and 506(i) IPC.

3. The learned counsel for the petitioner submitted that despite the petitioner making serious allegations about dowry demand in her complaint, the 2nd respondent police did not amend the penal provisions in FIR, hence it had necessitated her to file this Criminal Original Petition seeking for an appropriate direction.



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4. The learned Govt. Advocate (crl.side) appearing for the respondent police submitted that the investigation is still pending and with whatever materials available with the petitioner, she can approach the 2nd respondent and produce them before him and if required, she can also give her additional statement. He would further submit that charge sheet will be filed against the accused for the appropriate offences on the basis of the materials collected during the course of investigation.

5. The petitioner can appear before the 2nd respondent police and give her additional statement and handover the materials, if any, pertaining to the case. On her appearance before the 2nd respondent, the 2nd respondent is expected to do the needful in accordance with law and expedite the investigation and file final report as early as possible.

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

01.11.2022

Index : Yes/No



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Internet : Yes/No
msr



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R.N.MANJULA, J.

msr

To

- 1.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.
- 2.The Inspector of Police,
Kottakuppam Police Station,
Villupuram District
- 3.The Public Prosecutor,
High Court, Madras.

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