



CrI.O.P.No.29868 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29868 of 2022

I.Fatheema Beevi

... Petitioner

Vs.

1.The Superintendent of Police
Villupuram
Villupuram District.

2.The Inspector of Police,
Kottukuppam Police Station
Villupuram District
Crime No.23 of 2022

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent herein to alter the FIR in Crime No.23 of 2022 on the file of the 2nd respondent pursuant of the representations dated 26.11.2022 sent to the respondents within stipulated time prescribed by this Court.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.S.Santhosh

Government Advocate (Criminal side)

ORDER

This Criminal Original Petition is filed to direct the 2nd respondent herein



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to alter the FIR in Crime No.23 of 2022 on the file of the 2nd respondent pursuant of the representation dated 26.11.2022 sent to the respondents within the stipulated time prescribed by this Court.

2.When the matter is taken up, the learned Government Advocate (Criminal Side) submitted that the defacto complainant is aged about 26 years now. She gave a complaint on 25.07.2022. On the basis of her complaint, First Information Report was registered against one Mohammed Sheriff for the offence under Sections 417 and 376 I.P.C. in Crime No.23 of 2022, Kottukuppam Police Station, Villupuram District. He further submitted that representation by the petitioner for inclusion of the offences under POCSO will be considered in the course of investigation.

3.This Court on going through the complaint of the petitioner found that she has not even mentioned the name of the accused, that is, Mohammed Sheriff in her complaint dated 25.07.2022. Her date of birth is 19.10.1996. She claimed that she joined in the house of Babu Loganathan at the age of 13, that is somewhere around 2009. It is claimed that ever since she joined as a girl in 2009, she was sexually harassed by the accused. However, this complaint is



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given only at the age of 22. There is a long delay. More importantly, name of the accused who ravished her is not specifically mentioned in the complaint.

Therefore, the investigation officer is directed to take all these factors into consideration during the course of investigation and file final report as early as possible, preferably within a period of three months from today.

4. Accordingly, this Criminal Original Petition is disposed of.

05.12.2022

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Index: Yes/No

Speaking/Non speaking order



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G.CHANDRASEKHARAN.J.,

ep

To

- 1.The Superintendent of Police
Villupuram
Villupuram District.
- 2.The Inspector of Police,
Kottukuppam Police Station
Villupuram District
Crime No.23 of 2022
- 3.The Public Prosecutor,
High Court of Madras.

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