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Crl.O.P.No.9642 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.9642 of 2023

B.Sangeetha

...Petitioner

Vs.

State represented by
Inspector of Police,
All Women Police Station Mylapore,
Mylapore Police District.

Crime No.9 of 2022

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the first Respondent to alter the FIR under Sections 376, 493 and 496 of IPC instead of 498A and 417 IPC in the above Crime No.9 of 2022 on the file of Respondent Police.

For Petitioner : Mr.G.M.Gokul Ram

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to issue a direction to the first Respondent to alter the FIR under Sections 376, 493 and 496 of IPC instead of 498A and 417 IPC in the above Crime No.9 of 2022 on the



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file of Respondent Police.

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2. The learned counsel for the petitioner submitted that on the basis of the complaint given by the petitioner, FIR in Crime No.9 of 2022 for the offences under Sections 376 and 417 of IPC was registered. Now, the respondent Police filed an alteration report altering the offences under Sections 498(A) and 417 IPC. He further submitted that there was no valid or legal marriage taken place between the petitioner and the accused.

3. In response, the learned Government Advocate (Crl.side) submitted that the marriage between the petitioner and the accused was registered. The investigation in this case is pending and appropriate final report will be filed.

4. In the light of the rival submissions of the learned counsel appearing for the parties, especially the submission of the learned counsel for the petitioner that there was no valid and legal marriage between the



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petitioner and the accused, this Court directs the respondent to consider the submissions of the petitioner and file an appropriate final report, within a period of two months from the date of receipt of a copy of this order.

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

28.04.2023

mn

Index: Yes/No

Speaking Order: Yes/No

G.CHANDRASEKHARAN.J.,

mn



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To
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1. The Inspector of Police,
All Women Police Station Mylapore,
Mylapore Police District.
2. The Public Prosecutor,
High Court, Madras.

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