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Crl.O.P.No.6300 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.6300 of 2023

R.Priyadharsini

...Petitioner

Vs

1.The Commissioner of Police
Avadi District, Avadi.

2.The Deputy Commissioner of Police
Avadi District,
Avadi.

3.The Deputy Commissioner
Crime Against Women And Children Chennai.

4.The Assistant Commissioner of Police
Poonamallee Avadi District
Avadi.

5.The Inspector of Police
W-30 Awps Poonamallee Indrani Nagar
Poonamallee - 600 056.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying, to pass necessary orders directing the Respondents herein to conduct further investigation and to alter the offence in Crime No.37/2022 dated 23.12.2022



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and include all the offences committed by the accused as stated in the complaint dated 05.12.2022 and made appropriate alteration in the FIR in Crime No.37/2022 and pass such further or other orders.

For Petitioners : Mr.Sakthinathan for

M/s.T.K.S.Gandhi

For Respondents : Mr.S.Santhosh (For R1 to R5)
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the Respondents herein to conduct further investigation and to alter the offence in Crime No.37/2022 dated 23.12.2022 and include all the offences committed by the accused as stated in the complaint dated 05.12.2022 and made appropriate alteration in the FIR in Crime No.37/2022

2.It is the submission of the learned counsel for the petitioner that there was an engagement for marriage between the defacto-complainant and first accused Senthil Kumar, stating that they are going to be married, first accused had sexual relationship with the defacto-complainant. Thereafter, he avoided the defacto-complainant. When defacto-complainant and her father visited first accused house at Madurai, mother and brother of the first accused,



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namely A2 and A3 scolded defacto-complainant and her father in a filthy language and made criminal intimidation. It is his submission that the First Information Report was registered only for offence under Section 417, 420, 294 (b) and 506 (1) I.P.C. The First Information Report ought to have been registered for the offence under Section 376 also. Therefore, this petition.

3.The learned Government Advocate (Criminal side) submitted that depending on the allegations made in the complaint and materials collected during investigation, necessary and appropriate provisions would be included at the time of filing of Final Report. In the circumstances stated by the learned counsel appearing for parties, allegations made in the First Information Report, this Court directs the respondents to conduct investigation on the basis of the allegations made in the complaint and file appropriate final report on the basis of the offences committed by the accused.

4.With the above direction and observation, the Criminal Original Petition is disposed of.

20.03.2023

Internet: Yes
Index: Yes/No



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To:

- 1 The Commissioner Of Police
Avadi District Avadi.
- 2 The Deputy Commissioner Of P
Olice Avadi District Avadi.
- 3 The Deputy Commissioner
Crime Against Women And Children Chennai.
- 4 The Assistant Commissioner of Police
Poonamallee Avadi District
Avadi.
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G.CHANDRASEKHARAN, J.
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