



Crl.O.P.(MD)No.1999 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1999 of 2023

V.Jayapreetha

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
(Crime No.37 of 2022)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to conduct further investigation and include all the offences committed by the accused as per the complaint dated 24.01.2023 in Crime No.37 of 2022 on the file of the second respondent.

For Petitioner : Mr.K.A.S.Prabhu

For Respondents : Mr.R.Sivakumar
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.1999 of 2023

ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the second respondent to conduct further investigation and include all the offences committed by the accused as per the complaint dated 24.01.2023 in Crime No.37 of 2022 on the file of the second respondent.

2. The learned counsel appearing for the petitioner would submit that the petitioner has preferred a complaint on 23.11.2022 and on that basis, FIR came to be registered in Crime No.37 of 2022 for the offences under Sections 417 and 420 IPC. He would further submit that there existed relationship between the petitioner and the accused and on the promise given by the accused to marry the petitioner, the petitioner had consented for sexual relationship.

3. The main contention of the petitioner is that the respondents have not included the offence under Section 376 IPC and hence, the petitioner has given a representation dated 24.01.2023, but there was no action.



Crl.O.P.(MD)No.1999 of 2023

4. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that investigation is pending.

5. As rightly pointed out by the learned Government Advocate (Criminal Side), FIR was registered only on 23.11.2022 and it is pre-mature to make allegations against the respondents police.

6. Recording the submissions made on either sides, the second respondent is directed to proceed with the investigation and the Deputy Superintendent of Police, Kumbakonam Sub Division, Thanjavur District is directed to monitor the investigation.

7. With the above directions, this Criminal Original Petition stands disposed of.

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Crl.O.P.(MD)No.1999 of 2023

K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Thanjavur,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.1999 of 2023

Dated: 02.02.2023