



Crl.O.P.(MD).No.21135 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD).No.21135 of 2023

K.Gayathiri

... Petitioner

Vs.

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

2.The Deputy-Superintendent of Police,
Dindigul Rural Sub-Division Police Station,
Dindigul District.

3.The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Cr.P.C.,to direct the first respondent to instruct the second respondent to do conduct further investigation and submit the alteration report in Crime No. 92 of 2023 dated 14.03.2023, on the file of the third respondent police.



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For Petitioner : Mr.K.S.Duraipandian
For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent to instruct the second respondent to do conduct further investigation and submit the alteration report in Crime No.92 of 2023 dated 14.03.2023, on the file of the third respondent police.

2. The petitioner is the wife of one Senthilvel. Their marriage took place on 30.10.2020. The petitioner's husband is an engineer by profession and he has been working in power plant at Kuwait. Even before the marriage, the petitioner's husband gave a hope that he would take the petitioner abroad. But, after marriage, leaving his wife at his parents house he has gone to Kuwait. A girl baby was born to them. Thereafter, the petitioner used to live with her in-law's house. They started harassing the petitioner by demanding dowry and hence she returned to her parental home. While so, the petitioner's husband filed a restitution petition before the Family Court, Karur in H.M.O.P.No.96 of 2022. Thereafter, he withdrew



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the same on 27.02.2023. Due to the efforts of their family members, compromise was arrived at between them. Thereafter, the petitioner's husband decided to live separately at Dindigul. Hence, on 09.03.2023, the petitioner came to her husband's house at Dindigul. However, on 12.03.2023, the petitioner's mother-in-law and petitioner's husband started harassing by demanding Rs.10,00,000/- and hit the petitioner with iron rod(washing mop handle). Hence, she sustained injury and admitted at Dindigul Government Hospital as inpatient. Therefore, the petitioner gave a complaint before the third respondent against her husband and a case has been registered a case under Sections 294(b), 323, 324 and 506(ii) of IPC.

3. It is the case of the investigating agency that the third respondent police registered a case on 14.03.2023 and closed the case on 14.03.2023 itself.

4. This Court is not satisfied with the manner of investigation conducted by the third respondent police. In this case, the petitioner sustained injuries and admitted in Dindigul Government Hospital. There is a



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serious allegation of demand of dowry. In the said circumstances, closure of the case, on the date of registration of the FIR itself shows the lackadaisical investigation conducted by the third respondent. Therefore, this Court is inclined to allow this Criminal Original Petition in the following terms:

(i) The closure report filed by the third respondent in Crime No.92 of 2023 is hereby set aside.

(ii) The first respondent is hereby directed to entrust the investigation of the Crime No.92 of 2023, on the file of the third respondent to the All Women Police Station Sanarpatti within a period of one week from the date of receipt of a copy of this order.

(iii) The Inspector of Police, All Women Police Station, Sanarpatti, is hereby directed to conduct the investigation afresh without influenced by the closure report filed by the third respondent within a period of two months from the date of receipt of a copy of this order.

(iv) The second respondent is hereby directed to monitor the investigation.



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

24.11.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbn

To

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy-Superintendent of Police,
Dindigul Rural Sub-Division Police Station,
Dindigul District.
- 3.The Inspector of Police,
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K.K.RAMAKRISHNAN, J.

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