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CrI.O.P.No.19859 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.19859 of 2024

Hema Gupta

... Petitioner

/versus/

State: The Inspector of Police,
W31, All Women Police Station,
St.Thomas Mount,
Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, directing the respondent to conduct the further investigation and include all the offence committed by the accused as stated in the complaint dated 02.04.2024 and to file a final report in Crime No.02 of 2024 on the file of the respondent.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Mr.S.Udaya Kumar.
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition is filed seeking direction to the respondent police to alter the F.I.R registered for the offences under Section 417



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& 506(1) of I.P.C to 376 of I.P.C

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2. The Learned Government Advocate (Crl.Side) for the respondent states that Crime No.2 of 2024 was initially registered under Section 417 & 506(1) of I.P.C. Later, investigation disclosed that the accused had sexual intercourse against the wish of the petitioner herein and therefore, the F.I.R has been altered to Section 376 of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002.

3. In view of the above alteration report, nothing survives in this petition. Hence, this Criminal Original Petition is dismissed.

21.08.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

To:-

1. The Inspector of Police, W31, All Women Police Station, St.Thomas Mount, Chennai.
2. The Public Prosecutor, High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN, J.

bsm

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