

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

Crl.O.P.No.6328 of 2014

P.Chandran

.. Petitioner

versus

1.Palaniammal
2.M.Varadaraj
3.K.Ragupathy
4.Rathinam
5.Ravindran
6.Raghu
7.The Inspector of Police
B-13, Pothanur Police Station (L&O)
Coimbatore 641 023
Crime No.1264/2013

.. Respondents

PRAYER: Crl.O.P., filed under Section 482 of Cr.P.C., for a direction to the 7th respondent police to alter the Crime No.1264 of 2013 on the file of the respondent as per the allegations made in CMP.No.6379 of 2013 on the file of the Judicial Magistrate No.7, Coimbatore.

For petitioner : Mr.B.Ramamoorthy

For respondents : Mr.M.Maharaja,
Addl.Public Prosecutor for R7

ORDER

It is submitted by the learned counsel for the petitioner that the petitioner gave a complaint before the learned Judicial Magistrate No.7, Coimbatore in Crime No.6379/2013 and the same was forwarded to B-13 Pothanur Police Station (L&O) and they registered a case in Crime No.1264 of 2013 on the basis of the order passed by the learned Magistrate. He submitted that in the complaint given before the Magistrate, the petitioner named 6 persons as accused and while registering the case in Crime No.1264/2013, the respondent arrayed the petitioner's wife as accused and the other persons named in the complaint given before the Magistrate were not named as accused. He also submitted that his wife's name has been

wrongly mentioned as accused instead of the names given by the petitioner in the list. He therefore, submitted that the F.I.R., registered in Crime No.1264/2013 on the file of B-13 Pothanur Police Station be altered and F.I.R., may be directed to be registered against the accused named in the complaint given in Crl.M.P.No.6379 of 2013.

2. I am unable to accept the contention of the learned counsel for the petitioner. A reading of the complaint given in Crl.M.P.No.6379 of 2013 makes it clear that though the petitioner named 6 persons as accused, he made allegations against his wife and at the instigation of his wife, other accused threatened the petitioner. In the F.I.R., also, the same complaint is taken as such and having regard to the allegation made against his wife, she has been made as an accused and other accused were not named and the F.I.R., has been registered on the basis of the complaint given by the petitioner. The Police will include other accused on the basis of the investigation and at this stage, it cannot be stated that the Police had not acted as per the direction of the learned Judicial Magistrate and wrongly implicated the wife of the petitioner. Hence, this petition is dismissed. The 7th respondent-Police is directed to file final report in Crime No.1264/2013 within a period of 3 months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The Inspector of Police
B-13, Pothanur Police Station(L&O)
Coimbatore 641 023

2.The Judicial Magistrate No.7, Coimbatore.

3.-do- Thro The Chief Judicial Magistrate, Coimbatore

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.B.Ramamoorthy ,Advocate, SR.No.12050

Crl.O.P.No.6328 of 2014

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