

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.13120 of 2015

Sankar

... Petitioner/1st Informant

Vs

State rep.by its
The Inspector of Police,
G.6, Sithamur Police Station
Kanchipuram District

... Respondent/Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to alter the Accused person as to include the name Arun, s/o Arumugam in Crime No.185/2015 on the file of the respondent police.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This is the petition for direction to include a person in the FIR. It is seen that in respect of a road accident, in which one person lost his life, the Police registered a case in Crime No.185 of 2015 on 14.4.2015 for the offences punishable under sections 279, 337, 304-A IPC on the complaint lodged by the petitioner. In the FIR, the police has shown the driver of the vehicle Bajaj Discover bearing Registration No.TN 19-W-5514 as the accused. It is the case of the petitioner that in the complaint, he has shown the name of one Arun, son of Arumugam, as accused, but he has been left out. Hence this petition by the defacto complainant.

2. Under criminal law including the Code of Criminal Procedure, there is no provision for alteration of FIR. After completion of the investigation, if final report is filed, the defacto complainant will have an opportunity to file a protest application before the Jurisdictional Magistrate, reserving his right. Hence, this Criminal Original Petition is closed as not maintainable.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Inspector of Police,
G.6, Sithamur Police Station
Kanchipuram District
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Dayalan, Advocate, S.R.No.26161

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CTK(CO)
CA(12/06/2015)

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