

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14034 of 2015

K.Gajendran

... Petitioner

Vs

1. State Rep. by
The Superintendent of Police,
Office of the superintendent of Police,
Thiruvarur.

2. Sub-Inspector of Police,
Mannargudi Police Station,
Thiruvarur

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the second respondent police to alter the suitable sections in Cr.No.431 of 2015 on the file of the second respondent police and investigate in accordance with law.

For Petitioner :Mr. N.Senthilkumar

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

ORDER

Petitioner seeks direction to the second respondent police to alter the suitable sections in Cr.No.431 of 2015 and investigate in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents and perused the material placed on record.

3. This petition has been filed by the defacto complainant to alter the F.I.R and add Section 392 IPC.

4. According to the petitioner, he was assaulted by the accused and while he was in the hospital, the statement given by him to the police has been treated as the F.I.R and the police has

deliberately left out the allegations relating to loss of three sovereigns of gold chain and cash Rs.4500/-.

5. Unlike, the code of civil procedure, there is no provision in the Cr.P.C for amendment of F.I.R. During the course of investigation, if the Investigating Officer discovers materials to show that an offence under Section 392 IPC has been committed, the same would be added in the Final Report. The petitioner is directed to give a statement to the police and the same shall be recorded and investigation should be conducted on this aspect also.

6. With the above direction, this Criminal Original Petition is closed.

-sd/-

ASSISTANT REGISTRAR (CS III)

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

Mrp

To

1. State Rep. by
The Superintendent of Police,
Office of the superintendent of Police,
Thiruvarur.
2. Sub-Inspector of Police, सत्यमेव जयते
Mannargudi Police Station,
Thiruvarur
3. The Public Prosecutor,
High Court, Madras.

+1 CC TO MR.N.SENTHIL KUMAR ADVOCATE . SR.NO. 28411

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CO-TM

JD 30/06/2015