

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27259 of 2015

Vadamalai

... Petitioner

..vs..

State rep. by
Inspector of Police,
Sipcot Police Station,
Vellore District.
(Crime No.128 of 2014)

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., seeking a direction to the respondent herein viz. The Inspector of Police, SIPCOT Police Station, Vellore District to alter the FIR in Crime No.128 of 2014 for the offence under Section 174 Cr.P.C. instead of 302 IPC and also to complete the investigation and file a final report accordingly within the time stipulated by this Court.

For Petitioner : Mr.K.Balu

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the respondent herein viz. The Inspector of Police, SIPCOT Police Station, Vellore District to alter the FIR in Crime No.128 of 2014 for the offence under Section 174 Cr.P.C. instead of 302 IPC and also to complete the investigation and file a final report.

2. According to the petitioner, his son, viz. Suresh and his friends, viz. Ramesh, Prabha, Sathish and Devakar had gone to Vallimalai on 07.06.2014, for attending the marriage of one Naresh. Since his son did not turn up the next day, the petitioner made vigorous search to find him and thereafter lodged a complaint with the Inspector of Police, Melbadi Police Station. When the petitioner enquired the friends of his son Suresh, he learnt that due to a sudden quarrel, the family members of the bridegroom attacked Suresh in a black and blue

manner, causing him injuries. Thereafter, the respondent police intimated the petitioner that his son Suresh died due to a road accident and registered a case in Crime No.128 of 2014 under Section 174 Cr.P.C on 11.06.2014. The petitioner came to understand that the deceased sustained grievous injuries all over his body and on 07.06.2014, he was taken to Government Hospital and subsequently transferred to Vellore Government Hospital for further treatment. The deceased took treatment from 07.06.2014 to 10.06.2014.

3. Heard both sides.

4. When the matter is taken up for hearing, learned Additional Public Prosecutor submitted that during the course of investigation, the respondent police came to the conclusion that it is a case of murder, which attracts Section 302 IPC.

5. Recording the said submission of the learned Additional Public Prosecutor, as the respondent police has concluded that this is a case of murder under Section 302 IPC, this Criminal Original Petition is closed.

aeb

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To :

1. State rep. by
Inspector of Police,
SIPCOT Police Station,
Vellore District.

2. The Public Prosecutor
High Court of Madras,
Chennai.

+ 1 cc to Mr.K.Balu, Advocate SR 61252

gj(co)
prk10/12

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