

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28146 of 2015

R.Palanisamy

... Petitioner

Vs

1. The Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Mettur Police Station,
Salem District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to include the offences U/s. 307, 353 and 354 of the IPC in FIR in Cr.No. 682 of 2015 on the file of the 2nd respondent.

For Petitioner : Mr.V.Elangovan.
For Respondents: Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondents to include the offences U/s. 307, 353 and 354 of the IPC in FIR in Cr.No. 682 of 2015 on the file of the 2nd respondent.

2. The case of the petitioner is that the petitioner and other villagers were allotted free house site patta land to an extent of 3 cents each by Government and the petitioner constructed a house in the said land and the petitioner is in possession of the said land till date. With an intention to grab the land, on 8.10.2015 at about 9.30 a.m., one Ramasamy, Chella Goundan, Sadaiyan, Sekar and Kannan along with other henchmen, trespassed into the house of the petitioner and attacked the petitioner and his family members with deadly weapons. The petitioner's shoulder bone was broken and the hand veins were crushed, due to which, three fingers in his hand were disabled. The petitioner's mother was also attacked and her teeth were broken. She had also sustained injury on ear and lost the hearing sense and her kidney was also affected since she was

indiscriminately attacked on her stomach. The petitioner's brother also sustained grievous injuries and he is taking treatment in hospital and he is in a serious condition. Hence, a complaint was lodged but the respondent police has simply registered a case for the offence under section 147, 148, 294-b, 323, 324 and 506(ii) IPC. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional public Prosecutor appearing for the respondents.

4. Learned Additional Public Prosecutor submitted that the petitioner is also an accused and a counter case was given against him and during the course of investigation, if the respondent police comes to the conclusion that the offence under sections 307, 352, and 354 is made out, they will file a final report including the said offences in FIR No.682 of 2015.

5. Recording, the submission made by the learned Additional Public Prosecutor, this criminal original petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Mettur Police Station,
Salem District.

+ 1 cc to Mr.S. Duraisamy, Advocate Sr.63779

SR(CO)
Eu 11.12.15

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