

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.Nos.1072 and 1073 of 2016

Mr.C.Alaguraj ... Petitioner in both Crl.O.Ps.

Vs.

- 1.State represented by the
The Director General of Police,
Mylapore, Chennai - 600 004.
 - 2.The Commissioner of Police,
Vepery, Chennai - 600 007.
 - 3.The Additional Commissioner of Police,
St.Thomas Mount, Chennai.
 - 4.The Assistant Commissioner of Police,
Kizhkattalai, Chennai.
 - 5.The Inspector of Police
S-8 Police Station,
Adambakkam, Chennai - 600 088.
- ... Respondents in both Crl.O.Ps.

Prayer in Crl.O.P.No.1072 of 2016:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue a direction to the fifth respondent to alter the F.I.R. under Section 34, 420, 341, 294(b), 325 and 506(ii) IPC instead of Section 341, 294(b), 325 and 506(ii) IPC in Crime No.2882/2015 pending on the file of fifth respondent police.

Prayer in Crl.O.P.No.1073 of 2016:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue a direction to the fifth respondent to file a charge sheet against accused in appropriate forum in Crime No.2882/2015 pending on the file of 5th respondent police.

For Petitioner : Mr.P.Murali

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

COMMON ORDER

The petition in CrI.O.P.No.1072 of 2016 has been filed for a direction to the fifth respondent to alter the F.I.R. under Section 34, 420, 341, 294(b), 325 and 506(ii) IPC instead of Section 341, 294(b), 325 and 506(ii) IPC in Crime No.2882 of 2015 pending on the file of fifth respondent police.

2.The petition in CrI.O.P.No.1073 of 2016 has been filed for a direction to the fifth respondent to file a charge sheet against accused in appropriate forum in Crime No.2882 of 2015 pending on the file of fifth respondent police.

3.The petitioner herein lodged a complaint as against one Saravanan and the same was registered by the respondent police for the offence punishable under Sections 341, 294(b), 325, 506 (ii) of IPC on 01.09.2015 in Crime No.2882 of 2015.

4.The grievance expressed by the petitioner is that the respondent police ought to have registered a case under Sections 34, 420, 341, 294(b), 325 and 506(ii) IPC instead of Sections 341, 294(b), 325 and 506(ii) IPC and his further grievance is that though the case has been registered as early as on 01.09.2015, the final report has not yet been filed and hence, he prayed for appropriate orders.

5.The learned Additional Public Prosecutor submitted that during the course of investigation, if the commission of offence under Sections 34 and 420 of IPC is made out, the same will be included in the final report.

6.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

7.The submissions of the learned Additional Public Prosecutor is recorded. Hence, this Court feels that there is no need to give any specific direction to the respondent police with regard to the prayer sought for to alter the Sections in the FIR is concerned. Insofar as the prayer sought for to file the final report is concerned, this Court directs the fifth respondent police to expedite the investigation, complete the same and file final report as early as possible.

8.The criminal original petitions are disposed of accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Director General of Police,
Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
Vepery, Chennai - 600 007.

3.The Additional Commissioner of Police,
St.Thomas Mount, Chennai.

4.The Assistant Commissioner of Police,
Kizhkattalai, Chennai.

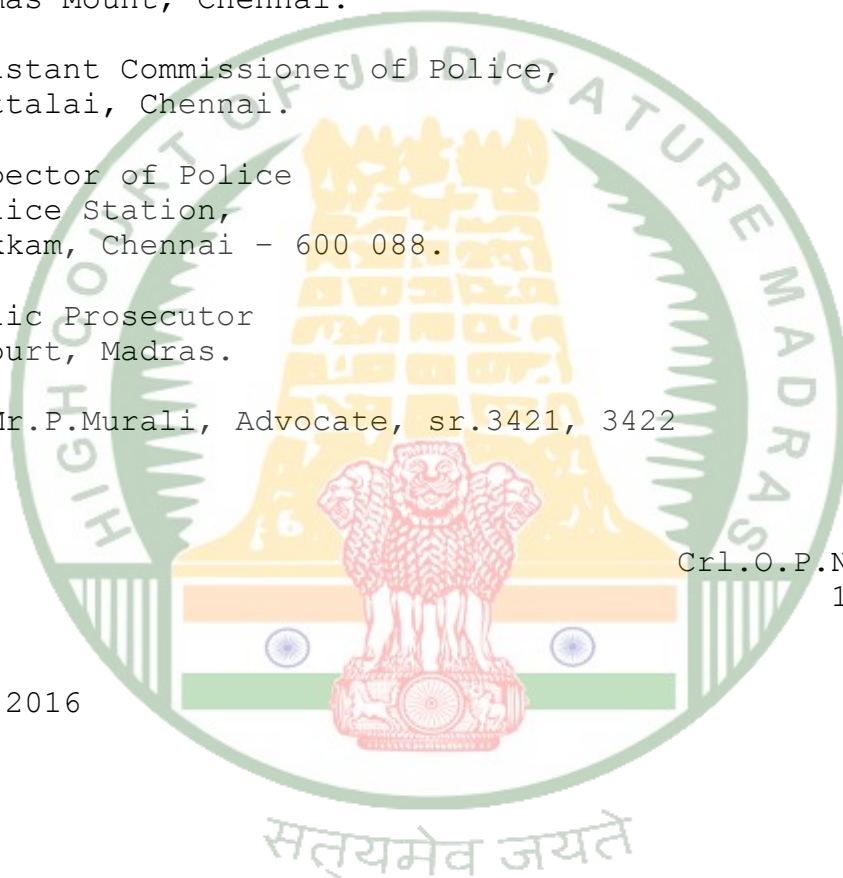
5.The Inspector of Police
S-8 Police Station,
Adambakkam, Chennai - 600 088.

6.The Public Prosecutor
High Court, Madras.

+2 cc to Mr.P.Murali, Advocate, sr.3421, 3422

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