

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.12036 of 2016

K.Indirani

...Petitioner

Vs.

1.The State Rep. by
Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.

2.The Inspector of Police
Pallikaranai Police Station,
Chennai - 600 129.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to issue direction, directing the respondents herein to alter the FIR which was registered as Crime No.1797 of 2016 under Section 174 Cr.P.C., to appropriate provisions of I.P.C., on the basis of the complaint lodged by the petitioner dated 16.04.2016 and investigate the crime in accordance with law.

For Petitioners : Mr.SP.Yuaraj

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

O R D E R

This Criminal Original Petition has been filed praying to direct the respondents to alter the FIR which was registered in Crime No.1797 of 2016, under Section 174 Cr.P.C., to appropriate provisions of I.P.C., on the basis of the complaint lodged by the petitioner dated 16.04.2016 and investigate the crime in accordance with law.

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

3. It is seen that one Kandhan died on 16.04.2016, for which a case in Crime No.1797 of 2016 has been registered by the

second respondent-Police under Section 174 of Cr.P.C., It is the case of the petitioner that her husband was attacked by one Madhavan, Vijaya, Jayanthi and others, and after attack, the petitioner's husband was admitted to the hospital, where he died on 16.04.2016.

4. This Court perused the FIR in Crime No.1797 of 2016 and found that the complaint in this case has been given by one Keerthana, the daughter of Kandhan, but whereas in Column No.6 of the FIR, the name Indirani has been shown as the complainant. Taking into consideration, the nature of the allegations in FIR, this Court is of the view that it would be in the fitness of things if the Inspector of Police, Pallikaranai Police Station, Chennai, is directed to conduct investigation in Crime No.1797 of 2016 under the supervision of the Assistant Commissioner of Police, Madipakkam, Chennai.

5. With the above directions, this Criminal Original Petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

ds

To

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.

2.The Inspector of Police
Pallikaranai Police Station,
Chennai - 600 129.

3.The Public Prosecutor
High Court, Chennai.

4. Th Assistant Commissioner of Police
Madipakkam

1 cc to Mr.S.P. Yuvaraj, Advocate, Sr. 32243

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