

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.06.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12694 of 2016

D.Muthuraman

...

Petitioner

Vs

1. The Superintendent of Police,
Kanchipuram District,
At Kanchipuram.
2. The Deputy Superintendent of Police,
Guduvancherry,
Kanchipuram District.
3. The Inspector of Police,
Otteri Police Station,
Kanchipuram District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents 1 and 2 to monitor the investigation conduct by the 3rd respondent with further direction to direct the 3rd respondent to include the section for the offence punishable under section 307 of IPC in Crime No. 238/2016 pending on the file of the 3rd respondent police and file the final report within a stipulated period of time.

For Petitioner :Mr.R.Jayabalan

For Respondents:Mr.C.Emalias

Additional Public Prosecutor

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ORDER

Seeking a direction to the respondents 1 and 2 to monitor the investigation conduct by the 3rd respondent with further direction to the 3rd respondent to include the section for the offence punishable under Section 307 of IPC in Crime No. 238 of 2016 pending on the file of the 3rd respondent police and file final report, the petitioner has come up with this petition.

2.Learned counsel for the petitioner submitted that on the complaint lodged by the petitioner, the 3rd respondent registered a case in Crime No.238 of 2016 for offences under Sections 294 (b), 324 and 506(i) IPC against one Ravi. It is the grievance of the petitioner, who is the defacto complainant that the police should have registered the case for offence under Section 307 IPC. Hence, he has approached this Court for alteration of FIR.

3.In my considered opinion, this Court cannot issue any such directions under Section 482 CrPC. During the course of investigation, if the respondents find any materials to include higher offences, it is needless to state that the same shall be included in the alteration report or in the final report, as the case may be.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Kanchipuram District,
At Kanchipuram.
- 2.The Deputy Superintendent of Police,
Guduvancherry,
Kanchipuram District.
- 3.The Inspector of Police,
Otteri Police Station,
Kanchipuram District.
- 4.The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.A.Rajesh Kanna, Advocate Sr.33431

Cr1.O.P.No.12694 of 2016

ak[co]
srg 29/06/2016