

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.15917 of 2016

K.Baskar

.. Petitioner

Vs

The State rep.by
The Inspector of Police,
Arcot Town Police Station,
Vellore District.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to alter from u/s 294(b), 341, 324, 323 & 506(ii) of IPC in to 147 & 307 of IPC in Cr.No.363 of 2016 and investigate the same and file a final report.

For Petitioner :Mr.Sundarapandian

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent to alter from u/s 294(b), 341, 324, 323 & 506(ii) of IPC in to 147 & 307 of IPC in Cr.No.363 of 2016 and investigate the same and file a final report.

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

3. On a reading of the FIR, the dispute essentially appears to be between the petitioner and the opposite party, who were said to be introduced with regard to the cutting of trees in the disputed land. Even the FIR discloses that there was an altercation between the parties and during the altercation, one of the opposite parties is said to have attacked the petitioner.

4. The learned counsel appearing for the petitioner submitted that the petitioner was admitted in the hospital for more than 8 days and suffered grievous injuries. That cannot be a reason for altering the FIR under Section 307 IPC. However, the respondent police is directed to proceed with the investigation. During the course of investigation, if materials surfaces to show that serious offences have been committed by the opposite party, it is needless to say that the same can be included in the final report.

In view of the above, the criminal original petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms
To

1. The Inspector of Police,
Arcot Town Police Station,
Vellore District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Rajendiran, Advocate sr.42211

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gj[col]
srg 22/08/2016

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