

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.17201 of 2016

Dr.D.Ashokan

... Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Annamalai Nagar Police Station,
Annamalai University,
Chidambaram,
Cuddalore District.

3.K.Arumugam
Registrar (Incharge)
Annamalai University,
Chidambaram,
Cuddalore District.

4.S.Maniyan
Vice Chancellor,
Annamalai University,
Chidambaram,
Cuddalore District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the second respondent to amend the section in Crime No.316 of 2015 and also include Section 307 IPC and also include the name of the respondents 3 and 4, based on the complaint lodged by the petitioner dated 27.06.2016.

For Petitioner : Mr.K.Murugesan
For Respondent : Mr.C.Emalias [for R1 & R2]
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent to amend the section in Crime No.316 of 2015 and to include Section 307 of IPC and also to include the name of the respondents 3 and 4 in the FIR registered, based on the complaint dated 27.06.2016, lodged by the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that investigation in Crime No.316 of 2015 has been completed and final report has been filed in PRC No.6 of 2016 before the Judicial Magistrate No.I, Chidambaram, against three accused for the offences under Sections 294(b), 323, 324, 506(i) IPC r/w Section 3(1)(s) of SC/ST Act.

4. Under such circumstances, the prayer of the petitioner for including offence under Section 307 IPC and to add two other persons as accused, cannot be maintained. It is always open to the trial Court to frame alter charges under Section 216 Cr.P.C. if there are materials.

With the above observation, this petition is dismissed.

05.08.2016

ds

To:

- 1.The Judicial Magistrate No.I
Chidambaram
- 2.The Superintendent of Police,
Cuddalore District.
- 3.The Inspector of Police,
Annamalai Nagar Police Station,
Annamalai University,
Chidambaram,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J

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