

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **17.08.2016**

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18195 of 2016

Gowri Easwari

...

Petitioner

Vs

State rep.by

The Inspector of Police,

H1 Old Washermanpet Police Station,

Chennai - 21.

...

Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent to alter the FIR to include the offence under Section 326 IPC in Cr.No.581/2016 dated 18.06.2016 pending on the file of respondent police.

For Petitioner

:Mr.S.Namo Narayanan

For Respondent

:Mr.C.Emalias

Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the respondent to alter the FIR to include the offence under Section 326 IPC in Cr.No.581/2016 dated 18.06.2016 pending on the file of respondent police.

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

P.N.PRAKASH,J,

sms

3. On the complaint given by the petitioner, the respondent police have registered a case in Crime No.581 of 2016 on 18.06.2016 for offences under Sections 294(b) & 323 IPC against one Vimala. Now, it is the case of the petitioner that the respondent police should have included Section 326 IPC in the FIR.

4. On a reading of the FIR, it is seen that Vimala had not attacked with any dangerous weapon and therefore, Section 326 IPC could not be included in the FIR. However, the respondent police is directed to conduct a thorough investigation, taking into consideration the nature of the injuries suffered by the petitioner and take action in accordance with law.

With the above direction, the criminal original petition is closed.

17.08.2016

sms

To

1. The Inspector of Police,
H1 Old Washermanpet Police Station,
Chennai - 21.

2. The Public Prosecutor,
High Court, Chennai.

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