

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.20365 of 2016

S.Govindaraj

... Petitioner

Vs

1.The Inspector of Police (L&O),
Government Railway Police Station,
Central Railway Station,
Chennai-600 003.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent police to alter the FIR No.150/2016 dated 17.06.2016 by adding the sections 107, 341, 307 and 506(2) IPC against the said accused A.Gnanasekaran, P. Kumaresan, Jagan and others, pending investigation according to law.

For Petitioner : D. Nandagopal

For Respondent : Mr.C. Emalias -Addl.PP.Chennai.

O R D E R

This petition is filed to direct the respondent police to alter the FIR No.150/2016 dated 17.06.2016 by adding the Sections 107,341,307 and 506(2) IPC against the said accused A.Gnanasekaran, P. Kumaresan, Jagan and others, pending investigation according to law.

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

3. It appears that there was a free for all between two groups of the same Railway Union in which the police have registered two FIRs namely, Cr.No.149 of 2016 and 150 of 2016. Cr.No.149 of 2016 has been registered on the complaint given by P. Kumaresan for offences under Sections 323, 294(b), 506 (1) IPC, & Cr.No.150 of 2016 has been registered on the complaint given by the petitioner for offences under Sections 147, 148, 323 & 294(b) IPC.

4. Now it is the grievance of the petitioner that in Cr.No.149 of 2016 Section 506(i) IPC has been included, but whereas in Cr.No.150 of 2016, the said penal provision has not been added.

5. That part, the petitioner is seeking a direction to respondent Police to include Sections 307, & 506 (ii) IPC also in Cr.No.150 of 2016.

6. In the considered opinion of this Court, such a direction cannot be issued and it is always open for the Police to alter the FIR, during investigation, if

materials are gathered for the commission of serious offences.

7. With the above observation, this petition stands closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police (L&O),
Government Railway Police Station,
Central Railway Station,
Chennai-600 003.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.D.Nandagopal, Advocate, sr.51687

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kra 29.09.2016