

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.21726 of 2016

A.S.Sankaran

... Petitioner

Vs.

State rep by

1.The Inspector of Police
T-13 Kundrathur Police Station
Chennai 600 069.

2.Agnes Mary

... Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. to include the second respondent and her daughter as one of the accused person in Cr.No.476 of 2015 pending investigation on the file of the first respondent.

For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor for R1

ORDER

This petition has been filed to include the second respondent and her daughter as one of the accused persons in Cr.No.476 of 2015 pending investigation on the file of the first respondent.

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

3. It is seen that on the complaint given by the petitioner, the respondent police have registered a case in Cr.No.476 of 2015 on 11.04.2015 u/s 419, 465, 468 and 471 IPC against Nagappan, Johnson and Pushparaj and investigation is in progress. While so, the petitioner, who is the de facto complainant has filed the present petition for a direction to the respondent police to include one Agnes Mary and her daughter as an accused.

4. In the considered opinion of this Court, u/s 482 Cr.P.C., such a direction cannot be issued to the police, as that would amount to this Court encroaching into the domain of the police in the matter of investigation under Chapter XII of the Code of Criminal Procedure.

5. Learned Additional Public Prosecutor submitted that in order to coerce Agnes Mary, this petitioner is seeking to make her and her daughter as accused.

In the light of the above, this petition is devoid of merits and the same is dismissed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police,
T-13 Kundrathur Police Station,
Chennai 600 069.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Saravana Kumar, Advocate, S.R.No.56800
(18.11.2016)

सत्यमेव जयते

Cr1.O.P. No.21726 of 2016

NR(CO)
CA(08/11/2016)

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