

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM:

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

Cr1.O.P. No.23395 of 2016

S. Namachivayam

... Petitioner

Vs.

1. The Sub-Inspector of Police
M2-Kammapuram Police Station
Cuddalore District

2. The District Superintendent of Police
Cuddalore District

... Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to direct the respondent to alter the FIR in Crime No.46 of 2016 under Section 506(II), 307, 147, 148, 341, 323, 324 and 294(b) IPC and further, direct the respondent police to reflect the petitioner's complaint in FIR incorporating Velmurugan and 6 others' name instead of "others" as per the statement given by the petitioner on the file of the respondent police, M2, Kammapuram Police Station.

For Petitioner : Mr. R. Margabandhu

For Respondents : Mr. C. Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the respondent to alter the FIR in Crime No.46 of 2016 under Section 506(II), 307, 147, 148, 341, 323, 324 and 294(b) IPC and further, direct the respondent police to reflect the petitioner's complaint in FIR incorporating Velmurugan and 6 others' name instead of "others" as per the statement given by the petitioner on the file of the first respondent police.

2. On the complaint given by the petitioner, the first respondent police have registered a case in Cr. No.46 of 2016 on 11.03.2016 under Sections 294(b), 341, 323 and 324 IPC against 6

accused. While so, the petitioner, who is the de facto complainant, has filed this Criminal Original Petition seeking the aforestated relief.

3. Under Section 482, Cr.P.C., this Court does not have the power to issue such a direction as that is tantamount to interference with the course of investigation of the offence. However, if during investigation, materials relating to serious offences are gathered, it is needless to state that the respondent police shall file the necessary alteration report in accordance with law.

With the above observations, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cad

To

1. The Sub-Inspector of Police
M2-Kammapuram Police Station
Cuddalore District.
2. The District Superintendent of Police
Cuddalore District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

सत्यमेव जयते

+1cc to Mr.R.Margabandhu, Advocate, S.R.No.60255

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SSI (CO)
CA(14/11/2016)