

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.25576 of 2016

S.K.Jani

...Petitioner

Vs.

1. The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai-606 601.
2. The Inspector of Police,
Kadaladi, Tiruvannamalai - 606 702. ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondents to alter the offences in the First Information No.344 of 2016 by registering the case of the Petitioner under the provisions of Section 307 of Indian Penal Code.

For Petitioner : Mr.R.Sathishkumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents to alter the offences in Cr.No.344 of 2016 by registering the case of the petitioner under the provisions of Section 307 IPC.

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

3. Today, Mr.E.Venkatesan, Special Sub Inspector, Kadaladi Police Station, Tiruvannamalai, is present.

4. On the complaint given by the petitioner, the respondent police registered a case in Cr.No.344 of 2016 on 16.08.2016 under Sections 294(b), 324 and 506(ii) IPC against Kodi Veeran and three others. Now, the de facto complainant is before this Court, for a direction to the respondent police to alter the case to one under Section 307 IPC.

5. In the considered opinion of this Court, the direction as prayed for under Section 482 Cr.P.C. cannot be issued by

this Court, since this Court cannot issue a direction to the respondent police to investigate a case in a particular manner or alter the FIR.

6. Learned Additional Public Prosecutor produced A.R.Copy from the case diary, which shows that the petitioner had sustained simple injuries. Hence, no direction as prayed for by the petitioner can be granted. However, the respondent police is directed to conduct a thorough investigation expeditiously and take action in accordance with law.

With the above direction, the Criminal Original Petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

kmi

1. The Superintendent of Police,
Tiruvannamalai District, Tiruvannamalai-606 601.
2. The Inspector of Police,
Kadaladi, Tiruvannamalai - 606 702.
3. The Public Prosecutor, High Court, Madras.

1 cc to Mr.R. Satish Kumar, Advocate, Sr. 69331

Crl.O.P.No.25576 of 2016

सत्यमेव जयते

RJ (CO)
kk 29/12

WEB COPY