

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6888 of 2016

M.Santhamoorthy

... Petitioner

Vs

The State Rep. By
The Inspector of Police,
Walajapettai Police Station,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to alter from u/s.294(b), 325 and 506(ii) IPC in to 307 of IPC in Crime No.519 of 2015 and investigate the same and file a final report.

For Petitioner : Mr.M.Rajendiran

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the respondent police to alter the offences in Crime No.519 of 2015, which was registered under Sections 294(b), 324 and 506(ii) IPC into one Section 307 IPC and to proceed further in accordance with law.

2. The learned counsel for the petitioner submitted that the accused with an intention to commit murder, assaulted the petitioner with a deadly weapon viz., iron pipe. But the respondent police has registered the case in Crime No.519 of 2015 only for the offences punishable under Sections 294(b), 324 and 506(ii) IPC and hence, the petitioner has come forward with this petition for the above stated relief.

3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the submissions made on both sides, a direction is given to the respondent police to alter the correct provision of law, while filing the charge sheet, after considering Accident Registrar Copy, Discharge Summary and the averments made in the FIR.

5. With the above direction, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar(CSIII)

True Copy

Sub-Assistant Registrar

vsm

To

1.The Inspector of Police,
Walajapettai Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Rajendran Advocate sr.27680

Crl.O.P.No.6888 of 2016

lrs(co)
aa01/06/2016

सत्यमेव जयते

WEB COPY