

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.7854 of 2016

R.Dillikumar

Petitioner

Vs

1.State rep by
The Commissioner of Police
Chennai.

2.State rep by
The Inspector of Police
W-18, All Women Police Station
MKB Nagar, Chennai
Crime No.1489/2015

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent to alter the FIR, which was registered in Cr.No.1489/2015 by including sections 376, 313, 120-B r/w 201 IPC apart from Section 4 of the POCSO Act, investigate the same and to file final report within a time frame.

For petitioner : Mr.R.Bakyaraj

For Respondents : Mr.C.Emalias
Addl.Public Prosecutor

सत्यमेव जयते
O R D E R

This petition has been filed to direct the 2nd respondent to alter the FIR, which was registered in Cr.No.1489/2015 by including sections 376, 313, 120-B r/w 201 IPC apart from Section 4 of the POCSO Act, investigate the same and to file final report within a time frame.

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

3. On the complaint lodged by one Dillikumar, the respondent police have registered a case in Cr.No.1489/2015 on 21.12.2015 for an offence u/s 4 of Protection of Children from Sexual Offences Act, 2012 [in short 'POCSO' Act] against one Gokulakannan and the investigation is in progress. It is the case of the petitioner that the said Gokulakannan had sexually

abused petitioner's daughter. Hence, the petitioner has filed the present application with the above prayer.

4. In cases arising under the POCSO Act, it is imperative for the respondent to record the statement of the victim girl u/s 164 Cr.P.C. and subject the victim and the accused to medical examination. The direction as prayed for by the petitioner cannot be issued u/s 482 Cr.P.C. However, if during the course of investigation, evidences relating to the commission of serious offences surfaces, it is needless to state that the respondent shall file an Alteration Report or include them in the Final Report.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Commissioner of Police,Chennai.

2.The Inspector of Police,W-18, All Women Police Station,MKB Nagar, Chennai.

3.The Public Prosecutor, High Court, Chennai.

सत्यमेव जयते

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