

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.9824 of 2016

S.Manogar

... Petitioner

Vs.

1.State rep.by
Superintendent of Police (East)
Puducherry.

2.The Sub Inspector of Police,
Othiyanchalai Police Station,
Puducherry.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register the complaint against the said persons and include the name of one Mr.Sarathy in the FIR on the basis of the complaint given by the petitioner to the respondents dated 21.04.2016 and investigate the matter in accordance with law.

For Petitioner :Mr.W.Camyles Gandhi

For Respondents :Mr.Thangavel
Special Public Prosecutor (Pondy)

ORDER

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent to register the complaint against the persons and include the name of one Mr.Sarathy in the FIR on the basis of the complaint given by the petitioner to the respondents dated 21.04.2016 and investigate the matter in accordance with law.

2. On a complaint given by the petitioner, the second respondent police registered a case in Crime No.41 of 2016 on 26.02.2016 for offences under Sections 341, 323, 294(b), 506(i) r/w 34 IPC against Irudiyaraj and his wife.

3. Now, the defacto complainant has filed the present application for a direction to the respondent police to include the name of one Sarathy in the FIR.

4. In the considered opinion of this Court, such a prayer cannot be given to the respondent police under Section 482 Cr.P.C. However, it is open to the respondent police to include the name of Sarathy, if there are credible evidence available during the course of investigation.

Recording the same, this criminal original petition is closed with a direction to the respondent police to proceed with the investigation and either file a final report or closure report as the case may be, under intimation to the petitioner.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.State rep.by
Superintendent of Police (East)
Puducherry.

2.The Sub Inspector of Police,
Othiyanchalai Police Station,
Puducherry.

3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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