

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.41979 OF 2016**

**ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of respondent Nos.3 and 4 in not altering the section of law in Crime No.152 of 2016 of Madanapalle Taluk Police Station, Madanapalle, Chittoor District from Section 324 read with 34 I.P.C. to Sections 307, 326 and 506 read with 34 I.P.C. as illegal, arbitrary and contrary to the medical reports of the petitioner/injured and consequently, direct respondent No.2 to supervise the investigation in the said crime.

2. Basing on a complaint given by the petitioner against respondent Nos.5 to 7 before respondent No.4, the aforementioned case was registered for the offence punishable under Section 324 read with 34 I.P.C. The petitioner filed this writ petition praying this Court to direct respondent Nos.3 and 4 herein to alter the section of law from Section 324 read with 34 I.P.C. to Sections 307, 326 and 506 read with 34 I.P.C. and also direct respondent No.2 to supervise the investigation in the said case.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case and the grievance of the petitioner, this Court is of the view that it is always left open to the official respondents to alter the sections or add the sections on the basis of the evidence collected during the course of investigation. Hence, there is nothing to interfere with the investigation in the aforesaid crime on the basis of registration

of the F.I.R and therefore, the writ petition is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

**JUSTICE RAJA ELANGO**

5.12.2016  
AMD



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**Date: 5.12.2016**

AMD