

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20515 of 2018

Rajkumar

... Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Nagapattinam.

2. The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents herein to add sections 307 & 326 IPC along with other offences, u/s.341, 294(b), 324, 506 (ii) registered in Crime No.77 of 2018 dated 16.06.2018 against the accused and to file final report according to law.

For Petitioner : Mr.S.Nagarajan

For Respondents : Mr.C.Raghavan, GA

O R D E R

On the complaint lodged by the petitioner, the respondent Police have registered a case in Crime No.77 of 2018 on 19.06.2018 under Section 341, 294[b], 324 and 506[2] IPC against one Thangamani. While so, the petitioner has filed the present petition with the above prayer.

2.Heard the learned counsel for the petitioner and the learned Government Advocate.

3.Unlike the Code of Civil Procedure, where pleadings can be amended, FIR cannot be amended. However, during the course of investigation, if evidence relating to commission of serious offence surfaces, it is open to the Police to file an alteration report. In view of the law laid down by the PRIVY COUNCIL in King Emperor Vs. Khwaja Nazir Ahmad

[(1943-44) 71 IA 203], which judgment has been approved by a catena of judgments of the Supreme Court, this Court cannot direct the Police, as to how they should investigate a case. Hence, the direction as prayed for by the petitioner cannot be granted.

With the above observation, this petition is closed.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Nagapattinam.

2. The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. S. Nagarajan, Advocate, S.R.No.57611

CRL.OP.No.20515 of 2018

GSP(04/09/2018)

सत्यमेव जयते
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