

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.14930 of 2018

G.Ramamurthy

... Petitioner

1.The Superintendent of Police,
Vellore District,
Vellore.

2.The Inspector of Police,
Thiruvallam Police Station,
Vellore District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to directing the 2nd respondent to alter the FIR in Crime No.226 of 2017 by including the accused namely Kumar who is the driver of the bus belonging to Tamil Nadu Transport Corporation Limited bearing registration No.TN-23-N-1561 who drove the bus on 23.08.2017 in Route No.12 plying from Arcot to Ponnai on the complaint of the petitioner dated 30.10.2017.

For Petitioner :Mr.C.Prabakaran

For Respondents :Mr.C.Raghavan
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the 2nd respondent to alter the FIR in Crime No.226 of 2017 based on the complaint of the petitioner dated 30.10.2017.

2.Heard the learned counsel for the petitioner; the learned Government Advocate (Crl. Side) appearing for the respondent and perused the materials placed on record.

3.On the complaint lodged by Ramamurthy, the respondent police have registered a case in Crime No.226 of 2017 on 24.08.2017 under section 279 and 337 of IPC against unknown accused. It is the case of the complainant/petitioner that his son Gopi was returning home by his Motor cycle by Chennai-Chithoor Road and that, a dog suddenly darted across, on account of which, he fell down; the TNSTC bus plying in route No.12 passed by scraping his son and that, he sustained

serious injuries. Now, it is the case of the petitioner that the police have themselves introduced the theory of a dog darting across the road and therefore, he has filed the present petition for alteration of FIR.

4. In the opinion of this Court, a direction Under Section 482 of Cr.P.C cannot be issued to the police to alter an FIR. If, during the course of investigation, it comes to light that the accident was not on account of any dog darting across, it is open to the police to file an alteration report and proceed with the investigation of the case. The Deputy Superintendent of Police, Vellore District in charge of Thiruvalam Police Station is directed to monitor the investigation in Crime No.226 of 2007.

5. With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gmd/gya

To

1. The Superintendent of Police,
Vellore District,
Vellore.

2. The Inspector of Police,
Thiruvalam Police Station,
Vellore District.

3. The Public Prosecutor
High Court, Madras.

सत्यमेव जयते

+1cc to Mr.C.Prabakaran, Advocate SR.No.35717

SVN(CO)
sm:18.6.2018

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