

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18077 of 2018

J.Lalitha

... Petitioner

Vs

1. The Superintendent of Police
Office of the Superintendent of Police
Thiruvallur
Thiruvallur District.
 2. The Inspector of Police
All Women Police Station
Thiruvallur
Thiruvallur District - 602 001.
- ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the 2nd respondent to alter the FIR by adding Sections 494 and 484 of IPC in Crime No.3 of 2018 on the file of the 2nd respondent.

For Petitioner : Mr.K.Gowthaman

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

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent to alter the FIR by adding Sections 494 and 484 IPC in Crime No.3 of 2018 on the file of the 2nd respondent.

2. On the complaint given by the petitioner, the respondent police have registered a case in Crime No.3 of 2018 on 23.02.2018 for the offences under Sections 294-B, 323, 452 and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002, against one Jaganathan and two others.

3. It is the contention of the petitioner that the respondent

police should have included Sections 494 and 484 IPC in the FIR.

4. In the opinion of this Court, a direction as prayed for by the petitioner cannot be granted in the light of the law laid down by the Privy Council in King Emperor vs. Khwaja Nazir Ahmad [(1943-44) 71 IA 203] which judgement has been approved by a catena of judgments of the Supreme Court. Hence, it is for the police to file a alteration report as and when they gather the evidence about the commission of serious offence.

With the above observation, this petition is closed.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

mk

To

1. The Superintendent of Police
Office of the Superintendent of Police
Thiruvallur, Thiruvallur District.
2. The Inspector of Police
All Women Police Station
Thiruvallur,
Thiruvallur District - 602 001.

+1cc to Mr.K.Gowthaman, Advocate SR.No.47247

Cr1.OP.No.18077 of 2018

SPD (CO)
GN (27/07/2018)

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