

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.19686 of 2018

Good rich Gasket Pvt. Ltd.,
Rep. by its Managing Director,
Aswin Rathod,
No.40, Velicha Village,
Next to Pasupathy Eswaran Temple,
Opposite Road to Puthupakkam Anjaneya Temple,
Vandalur Kelambakkam Road,
Chennai - 600 048. ... Petitioner

Vs

1. The State rep. by
The Inspector of Police,
District Crime Branch,
Kancheepuram District.
2. The Superintendent of Police,
Kancheepuram District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st respondent police to include two sections as namely 409 IPC and 66(F) of the Information Technology Act 2000 in FIR Crime No.25 of 2018 and investigate the same.

For Petitioner : Mr.S.Palani Rajan

For Respondents : Mr.C.Raghavan
Government Advocate

WEB COPY
O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent police to include two sections as namely 409 IPC and 66(F) of the Information Technology Act 2000 in FIR Crime No.25 of 2018 and investigate the same.

2. On the complaint lodged by the petitioner, the respondent police have registered a case in Crime No. 25 of 2018

on 21.06.2018 for the offences under Sections 120B, 483, 420 & 34 IPC and 65, 66 and 72 of Information Technology Act. While so, this petition has been filed with the above prayer.

3. Unlike the Code of Civil Procedure, where the pleadings can be amended, under the Code of Criminal Procedure, there is no such provision. However, during the course of investigation, if the police gathered evidence relating to the commission of more serious offences, it is always open to them to file an alteration report, 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 judgment has been approved by a catena of judgments of the Supreme Court, a direction as prayed for, cannot be issued. Hence, this petition is closed.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

gya/mkn

To

1. The Inspector of Police,
District Crime Branch,
Kancheepuram District.
2. The Superintendent of Police,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Palani Rajan, Advocate SR.No.54401

CRL.O.P.No.19686 of 2018

GN(21/08/2018)