

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.6842 of 2016

Tmt.Mala

Petitioner

vs.

State Represented by its
Inspector of Police
M-6, Manali Police Station
Chennai.

Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. to direct the respondent police to include Section 306 r/w 511 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in the charge sheet filed before the Hon'ble Judicial Magistrate, Tiruvottiyur in Crime No.1331 of 2014 on the file of the respondent police.

For petitioner Mr.H.Manivannan

For respondent Mrs. Kritika Kamal P.
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondent police to include Section 306 r/w 511 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in the charge sheet filed before the Judicial Magistrate, Tiruvottiyur in Crime No.1331 of 2014 on the file of the respondent police.

2. In view of the law laid down by the Supreme Court in Shariff Ahmed and others vs. State (NCT of Delhi) [(2009) 14 SCC 184], this Court cannot issue a direction to the respondent police as to how they should conduct the investigation.

3. Hence, this petition for a direction to the respondent police to alter the FIR is not maintainable. Accordingly, this petition is dismissed. However, the Judicial Magistrate, Thiruvottiyur, is directed to proceed with the trial in C.C.No.59 of 2015 in accordance with law.

Sd/-
Assistant Registrar(CS-VIII)

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Sub Assistant Registrar

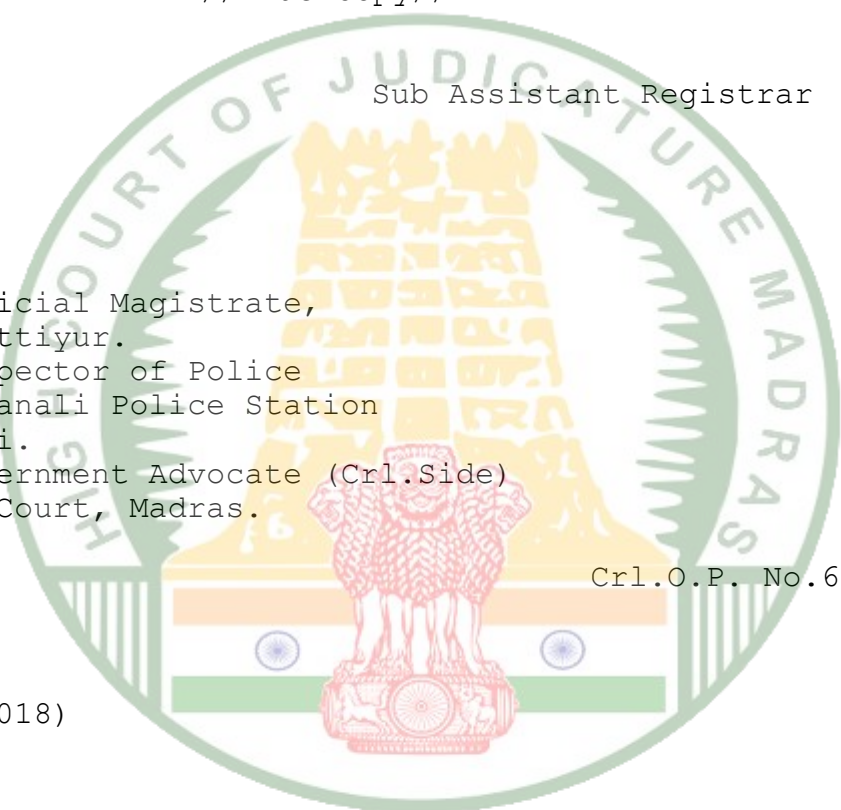
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To

1. The Judicial Magistrate,
Tiruvottiyur.
2. The Inspector of Police
M-6, Manali Police Station
Chennai.
3. The Government Advocate (Crl.Side)
High Court, Madras.

Crl.O.P. No.6842 of 2016

SVI(CO)
EU(28/04/2018)

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red lion capital on a base. The entire emblem is set against a background of a green and white striped banner. The words 'HIGH COURT OF JUDICATURE MADRAS' are written in a green arc around the top of the emblem. At the bottom, the Sanskrit motto 'सत्यमेव जयते' (Satyameva Jayate) is written in Devanagari script.

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