

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 10.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.28783 of 2018

R.Mohandass

... Petitioner

Vs.

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 Cr.P.C., to direct the second respondent to alter the FIR under Section 304 B (1) (2), r/w Section 302 of IPC instead of under Section 174 of Cr.P.C case in Crime No.252 of 2018 on the file of the second respondent within a stipulated period which prescribed by the Court.

For Petitioner : Mr.C.Prabhu

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the second respondent police to alter the FIR, which has been registered under Section 174 of Cr.P.C.

2.The petitioner's daughter one Omega @ Sunitha died under suspicious circumstances in the matrimonial home. Based on the complaint given by the petitioner, FIR was registered by the respondent police under Section 174(3) of Cr.P.C on 26.07.2018.

3.The learned counsel for the petitioner would submit that there has been absolutely no progress in the investigation and the petitioner's daughter had sustained injuries all over the

body and she has been subjected to cruelty by the husband and his relatives. Therefore, the petitioner left with no other option has approached this Court seeking for appropriate direction.

4.The learned Additional Public Prosecutor would submit that the RDO enquiry has been completed and a report has already been filed. The police are in the course of investigation and if necessary materials are collected during the course of investigation, the respondent police will accordingly alter the FIR and proceed against the accused persons.

5.This Criminal Original Petition is disposed of with a direction to the second respondent police to continue with the investigation effectively and file a final report within a period of three months from the date of receipt of a copy of this order.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vsg1/ia

To

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Inspector of Police,
Thiruvalem Police Station,
Vellore District.
3. The Public Prosecutor,
High Court,
Madras.

+1 cc to M/s.C.Prabhu, Advocate, SR No.85172

ssm(28/12/18)

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