



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Cr1.O.P. [MD].No.12309 of 2017

Tamilselvam

.... Petitioner

Vs.

1. The Superintendent of Police
Sivagangai District

2. The Inspector of Police
Natchiyapuram Police Station
Sivagangai District
Crime No.74 of 2017

.... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to appoint a suitable investigating officer to enquire and investigate the crime No.74 of 2017 on the file of the second respondent police and alter the FIR including sections 307, 326 of IPC and PPDL Act and file a final report within a stipulated time by this Court.

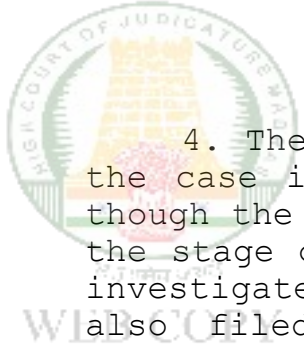
For Petitioner : Mr.K.Vinayagam
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This petition has been filed for a direction to the respondent police to alter the First Information Report in Crime No.74 of 2017 including certain offences.

2. It is the case of the petitioner that he was attacked by accused persons with deadly weapons on 27.08.2017 and he sustained grievous injuries on that day and was taken to Thirpathur Government hospital and thereafter was admitted in the Rajaji Hospital on 27.08.2017. The petitioner took treatment for nearly 18 days as inpatient. Based on the complaint given by the petitioner's wife, the second respondent police registered a case in Crime No.74 of 2017 for offences under section 294(b), 323, 324, 427 and 506(ii) of IPC.

3. The learned counsel for the petitioner would submit that the respondent police ought to have added sections 307, 326 of IPC in the FIR as there was a clear attempt of murder. The petitioner had sustained grievous hurt when he was attacked by the accused persons.



4. The learned Government Advocate (Crl.Side) would submit that the case is pending investigation by the respondent police. Even though the respondent police have included only certain offences at the stage of First Information Report. The respondent police will investigate the case from all angles. The respondent police have also filed altered First Information Report wherein they have included the offences under section 326 of IPC and also 3(1) of TNPPDL Act. The learned counsel would further submit that the investigation is at a crucial stage. At the time of filing final report, all the necessary offences will be incorporated in the final report based on the materials collected by the investigating officer.

5. Recording the submissions made by the learned Government Advocate, the second respondent police is directed to effectively conduct investigation and file final report as expeditiously as possible.

6. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Superintendent of Police
Sivagangai District
2. The Inspector of Police
Natchiyapuram Police Station
Sivagangai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.K.VINAYAGAM, Advocate SR. NO. 86666

Crl.O.P. [MD].No.12309 of 2017
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