

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.4472 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Home for respondents 1 to 5 and perused the prayer in the writ petition with the supporting affidavit and other material on record.

The occurrence was original registered from the report of the wife of the deceased under Section 174 CrPC as to the suspicious death on doubtfulness existence of making out or not of the cognizable offence and it is thereafter with reference to the FIR allegations, PM report and inquest over the dead body from recording of the statements of the persons gathered including to the mediators to the inquest and there is alteration of charge by memo under Section 302 IPC from the cognizable offence made out. It is the same now impugned saying as if without enquiry the crime by memo is altered from Section 174 CrPC to Section 302 IPC r/w 34 IPC. In fact, prima facie when there is material in the course of PM report and inquest and from recording of statements after registration from occurrence under Section 174 CrPC making out cognizable offence under Section 302 IPC, there is nothing to find fault, but for if at all after completion of investigation, if there is any grievance of the petitioners left open to impugn such observations in the final report as per law.

Having regard to the above, this Writ Petition is disposed of.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 01.05.2018

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