

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.1400 of 2019

Kanniyappan

.. Petitioner

-vs-

- 1.The Home Secretary to Government,
Secretariat,
Chennai-600 009.
 - 2.The Superintendent of Police,
Office of the District Superintendent
Kancheepuram District.
 - 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Maduranthagam,
Kancheepuram District.
 - 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Maduranthagam, Kancheepuram District.
 - 5.The Sub Inspector of Police,
G-6, Chittamoor Police Station,
Cheyyur Taluk,
Kancheepuram District.
- .. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Sub Inspector of Police, G6, Chittamur Police Station, Cheyyur Taluk, the 5th respondent (or) the Deputy Superintendent of Police, Madhuranthagam the 3rd respondent to alter the F.I.R. in Crime No.157/2018 form 174(3) of the Code of Criminal Procedure into 302 of the Indian Penal Code against Rajesh son of Narayanan of Nugumbal Village, Cheyyur Taluk, Kancheepuram District and investigate the crime and file the final report as required under section 170(1) of the Code of Criminal Procedure.

For Petitioner : Mr.K.Balakrishnan

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

ORDER

This Criminal Original Petition has been filed seeking to alter the FIR which has been registered under Section 174(3) of Cr.P.C., in Cr.No. 157/2018.

2.The petitioner's daughter died under suspicious circumstances on 14.08.2018. According to the petitioner, the daughter was brutally attacked and beaten to death by the husband. However, the respondent Police have not properly investigated the case and the FIR continues under Section 174 Cr.P.C. Left with no other option, the present petition has been filed before this Court.

3.The 5th respondent Police shall strictly follow the guidelines given by this Court in the case of MANOHARI V. THE DISTRICT SUPERINTENDENT OF POLICE, SIVAGANGAI DISTRICT AND OTHERS reported in 2018 (2) LW Criminal 522. If any offence is made out during the course of investigation, the FIR shall be altered and the case shall be proceeded against all the accused persons in accordance with law.

4.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kal

To

- 1.The Home Secretary to Government,
Secretariat,
Chennai-600 009.
- 2.The Superintendent of Police,
Office of the District Superintendent
Kancheepuram District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Maduranthagam,
Kancheepuram District.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Maduranthagam, Kancheepuram District.

5.The Sub Inspector of Police,
G-6, Chittamoor Police Station,
Cheyyur Taluk,
Kancheepuram District.

CRL.O.P.No.1400 of 2019

CSL/06.02.2019



WEB COPY