

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1839 of 2019

Dr.R.Navaneetham

...Petitioner

Vs.

The State rep. by
Inspector of Police,
Nemili Police Station,
Arakonam Taluk,
Vellore District.
(Crime No.383 of 2018)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to alter the F.I.R. in Crime No.383 of 2018 including the offences punishable U/s.3 & 4 of Tamil Nadu Property (Prevention of Damages and Loss) Act, 1992 and investigate the same and file the final report within stipulated period.

For Petitioner : Mr.M.Sathiskumar
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for the alteration of the F.I.R. to include the offence under Sections 3 & 4 of Tamil Nadu Property (Prevention of Damages and Loss) Act, 1992.

2. The learned counsel for the petitioner submitted that based on the complaint given by the petitioner, the respondent police registered an F.I.R. in Crime No.383 of 2018 for offence under Sections 147, 148, 294(b), 427, 447 and 506 (ii) IPC. The learned counsel for the petitioner submitted that there was a large scale destruction of the property belonging to the petitioner and the respondent police ought to have added the offence under Sections 3 & 4 of Tamil Nadu Property (Prevention of Damages and Loss) Act, 1992. Since the same has not been done, the present petition has been filed seeking for the alteration of the F.I.R.

3. The learned Additional Public Prosecutor submitted that the case is under investigation and based on the materials collected by the respondent police, the appropriate decision will be taken for adding the offence under the Tamil Nadu Property (Prevention of Damages and Loss) Act, 1992.

4. This Criminal Original petition is disposed of with a direction to the respondent police to effectively conduct the investigation and to add an appropriate offence based on the materials collected during the course of investigation.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

vsa/msrm

To

1. The Inspector of Police,
Nemili Police Station,
Arakonam Taluk,
Vellore District.

2. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to M/s.M. Sathish Kumar, Advocate sr 6361.

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RK(CO)

SP(15/02/2019)

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