

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 7159 of 2019

B.Poongodi

.. Petitioner /
Wife of the injured

Vs

1. The State rep by
The Superintendent of Police,
Kancheepuram District.
2. The Inspector of Police,
Walajabad Police Station,
Kancheepuram District.
(Crime No.77 of 2019)

.. Respondents /
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent herein to alter the offences under Sections 294(b), 324 of IPC by including Section 307, 506(ii) of IPC in the FIR registered in Crime No.77 of 2019 on the file of the 2nd respondent.

For Petitioner :Mr.C.Mageshkumar

For Respondents :Mr.C.Raghavan
Government Advocate (Criminal Side)

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to direct the 2nd respondent herein to alter the offences under Sections 294(b), 324 of IPC by including Section 307, 506(ii) of IPC in the FIR registered in Crime No.77 of 2019 on the file of the 2nd respondent.

2. The learned counsel for the petitioner submitted that on 06.02.2019 when the petitioner's husband Babu returning home at 6.00 p.m. hit a known person namely Kalpana, W/o.Sathyanandan, when the bus in which they traveling put a sudden brake. From the above incident, the petitioner's husband begged pardon with that Kalpana. He would submitted that the above Kalpana's

husband Sathyanandan is a police personnel has managed to register a FIR against the petitioner's husband as if he harassed the above Kalpana. Thereafter, he went to the petitioner's home and beating the petitioner's husband indiscriminately all over him. Eventually he was treated in casualty and then as in-patient at Government Head Quarters Hospital, Kancheepuram from 06.02.2019 to 05.03.2019 and still he is taking treatment at private hospital.

3. He further submitted that the FIR has been registered in Crime No.77 of 2019 for meager offences under Sections 294 (b) and 324 of IPC. Therefore, petitioner made a representation to the 1st respondent herein to alter the FIR, and the same was not considered by the 1st respondent. Hence, the petitioner filed this petition before this Court.

4. Considering the facts and circumstance of the case, the petitioner is directed to produce the relevant records before the 2nd respondent. On receipt of the same the 2nd respondent is directed to conduct enquiry on the report filed by the petitioner and file a final report within a period of four weeks from the date of receipt of a copy of this order. If any cognizable offence is made out under Sections 307, 506(ii) of IPC on the records produced by the petitioner, the 2nd respondent is directed to consider the same on merits and pass orders accordingly.

5. With the above direction, this Criminal Original Petition disposed of.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

ssr/vv2

To

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

Crl.O.P.No. 7159 of 2019

VBA (CO)

SSM(22/04/2019) .