

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10620 of 2019

T.Bharathi

.. Petitioner

Vs

1. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.
 2. The Deputy Superintendent of Police,
Thiruvannamalai Taluk,
Thiruvannamalai District.
 3. The Inspector of Police,
Thandarampattu Police Station,
Thiruvannamalai Taluk,
Thiruvannamalai District.
- .. Respondents

Prayer :-

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 3rd respondent herein to alter the section from 147, 148 and 324 of I.P.C. to Section 307 of I.P.C. pending in Crime No.51 of 2019 on the file of the 3rd respondent police.

For Petitioner : Mr.N.Elumalai

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

O R D E R

This petition has been filed to direct the 3rd respondent to alter the offences in Crime No. 51 of 2019, on the file of the 3rd respondent police.

2. The learned counsel for the petitioner submitted that the petitioner's wife compelled to live separately away from the joint family. Since, the petitioner did not accept, there was a wordy quarrel between them and petitioner's wife threatened the petitioner to commit suicide leaving suicide note. Thereafter, the petitioner's wife's relations attacked the petitioner with

wooden logs and knife. The petitioner suffered grievous injuries and he was admitted in the Hospital, Therefore, the petitioner has filed a complaint before the respondent considering the nature of injuries.

3. Heard Mr.N.Elumalai learned Counsel for the petitioner and Mr.C.Raghavan, Government Advocate (Crl.Side) for the respondents police.

4. Considering the facts and circumstances of the case the petitioner is directed to produce all the medical records and relevant materials before the 3rd respondent. On receipt of the same, 3rd respondent is directed to consider the representation of the petitioner dated 01.02.2019 and other documents submitted by the petitioner and conduct an enquiry on the basis of the representation and on the documents produced by the petitioner. However, if any prima facie case is made out for an offence under Section 307 of IPC, the 3rd respondent is directed to alter the offence under Section 307 of IPC and proceed with the investigation within a period of four weeks from the date of receipt of copy of this order.

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

Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

rri

To

1. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.
2. The Deputy Superintendent of Police,
Thiruvannamalai Taluk,
Thiruvannamalai District.
3. The Inspector of Police,
Thandampattu Police Station,
Thiruvannamalai Taluk,
Thiruvannamalai District.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Elumalai, Advocate in sr.no.38632 (08/07/2019)

Crl.O.P.No.10620 of 2019

PP(CO)
CS/14/06/2019



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