

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10228 of 2019

Manivannan

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Erumapatti Police Station,
Namakkal District.
Cr.No.228 of 2017

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to include the name of Ramesh (A4 in the FIR in Cr.No.228 of 2017 on the file of the respondent) in the final report in C.C.No.186 of 2018 on the file of the Judicial Magistrate No.1, Namakkal.

For Petitioner : Mr.V.Elangovan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct respondent to include the name of Ramesh (A4 in the FIR in Cr.No.228 of 2017 on the file of the respondent) in the final report in C.C.No.168 of 2018 on the file of the Judicial Magistrate No.1, Namakkal.

2. The learned counsel for the petitioner submitted that, the petitioner was working as a carpenter. He further submitted that, there was a dispute between the petitioner and one Ramesh/A4 in respect of carrying out the temple work. One Ramesh/A4 and other accused persons assaulted and threatened the petitioner with dire consequences. The petitioner and his brother suffered grievous injurious. Based on the petitioner statement, the respondent police registered the case in Cr.

No.228 of 2017 under Sections 294(b), 323, 324 and 506(ii) IPC. According to the petitioner sustained grievous injurious mainly by the said Ramesh (A4), and his name was found in F.I.R. stage but not included in the charge sheet before the Magistrate. Hence the petitioner lodged the complaint with the aforesaid prayer.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that the F.I.R was originally registered as against A1 to A4, but while filing charge sheet the allegation was only as against A1 to A3. Therefore, he sought to include the 4th accused also in the final report.

5. Considering the facts and circumstances, the petitioner is permitted to invoke the provisions under Section 319 of Cr.P.C.

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

Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Erumpatti Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.36992

Cr1.O.P.No.10228 of 2019

RSV(CO)
CS/14/06/2019