

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.06.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.25013 of 2017

Mathalaimuthu

... Petitioner

-vs-

State by

1.The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

2.Sub-Inspector of Police,
Thally Police Station,
Krishnagiri District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to alter the section into 307 of IPC in Crime No.309/17 on the file of the 2nd Respondent and add the names of Doss, Philiphs, Singarayar and Francis as accused in this case.

For Petitioner : Mr.K.Thiruvengadam

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

ORDER

This petition has been filed to direct the respondents to alter the section into 307 of IPC in Crime No.309/17 on the file of the 2nd Respondent and add the names of Doss, Philiphs, Singarayar and Francis as accused in this case.

2.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and the final report has also been filed before the Judicial Magistrate No.1, Denkanikottai on 20.09.2017 and the same is yet to be taken cognizance.

3.The learned counsel for the petitioner submitted that the respondent police did not add Section 307 of IPC and did not add the names of the four accused persons.

4.The learned Additional Public Prosecutor on instructions submitted that the names of all the four accused persons have been added in the final report. In so far as the offence is concerned, it is always left open to the Court below to take into consideration the materials placed before it and to frame charges accordingly. There shall be a direction to the 2nd respondent to immediately get the final report numbered within a period of two weeks from the date of receipt of a copy of this order. The Court below is directed to proceed further with the case and to complete it as expeditiously as possible.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vs
To

1.The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

2.The Sub-Inspector of Police,
Thally Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Thiruvengadam , Advocate SR.No. 50299

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A.SK(18/07/2019)