



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.1951 of 2018

WEB COPY

J.Kumar

... Petitioner

Vs.

State, represented by

1. The Superintendent of Police
Pudukkottai District

2. The Deputy Superintendent of Police
Kottaippattinam
Pudukkottai District

3. The Inspector of Police
Manamelkudi Police Station
Pudukkottai District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondent police to alter the F.I.R registered in Crime No.210 of 2017, dated 12.09.2017 on the file of the 3rd respondent by including Sections 147, 355, 323, and 506(i) I.P.C r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act, 1989 within the time frame fixed by this Court and investigate the case in accordance with law.

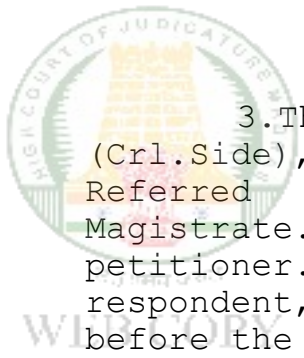
For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

O R D E R

This petition has been filed to direct the respondent police to alter the F.I.R registered in Crime No.210 of 2017, dated 12.09.2017 on the file of the 3rd respondent by including Sections 147, 355, 323, and 506(i) I.P.C r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act, 1989 within the time frame fixed by this Court and investigate the case in accordance with law.

2.Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the F.I.R, registered in Crime No.210 of 2017, after completing the investigation, was closed as mistake of fact. However, till today, the respondent police has not filed the Referred Charge Sheet before the concerned jurisdictional Magistrate.



3.The submission made by the learned Government Advocate (Crl.Side), is recorded. The third respondent is directed to file a Referred Charge Sheet before the concerned jurisdictional Magistrate. Further, he is directed to serve RCS notice to the petitioner. After the receipt of RCS notice received from the third respondent, the petitioner is at liberty to file a protest petition before the concerned jurisdictional Magistrate Court.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police
Pudukkottai District
- 2.The Deputy Superintendent of Police
Kottaippattinam
Pudukkottai District
- 3.The Inspector of Police
Manamelkudi Police Station
Pudukkottai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madruai.

Crl.O.P. (MD) .No.1951 of 2018

06.09.2019

MSA

MK (30.09.2019) 2P 5C