



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.11689 of 2018

K.Moorthy

...Petitioner

Vs.

1. The Superintendent of Police
Theni District, Theni

2. The Inspector of Police
Allinagaram Police Station
Theni District (Cr.No.93/2018)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 2nd respondent to alter the First Information Report in Crime No. 93 of 2018 by including section 307 of IPC and Section 3(ii)(v) of SC/ST (POA) Act and take necessary action against the accused persons based on the representation given by the petitioner dated 03.04.2018, within the time stipulated by this Court.

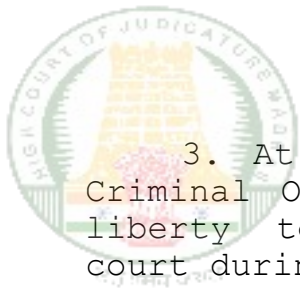
For Petitioner : Mr.K.Seemaraj

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

ORDER

This petition has been filed seeking direction to direct the 2nd respondent to alter the First Information Report in Crime No. 93 of 2018 by including section 307 of IPC and Section 3(ii)(v) of SC/ST (POA) Act based on the representation given by the petitioner dated 03.04.2018.

2. The learned Government Advocate(Crl.Side) submitted that the second respondent police completed investigation in Crime No. 93 of 2018 and filed final report before the concerned court and the same is yet to be taken cognizance by the trial court.



3. At this stage, the sections cannot be altered. Hence the Criminal Original Petition is dismissed. However petitioner is at liberty to invoke Sections 216 and 319 of Cr.P.C before the trial court during trial.

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Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Theni District, Theni
2. The Inspector of Police
Allinagaram Police Station
Theni District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court.

+1 CC to M/s.K.SEEMARAJ, Advocate (SR-98465[F] dated 15/11/2019)

Crl.O.P. (MD) No.11689 of 2018
14.11.2019

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SDS (18.12.2019) 2P 5C