

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2020

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7525 of 2020

Mrs. Selvi F/A 48
W/o Madhavan

...Petitioner

Vs.

1. The Commissioner of Police,
Greater City of Chennai
Police Commissioners Office
Vepery, Chennai 600007.

2. The Inspector of Police,
N4 Fishing Harbour Police Station,
S.N.Chetty Street, Wahermenpet.
Chennai – 600081 (Cr.No.175/2020)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to alter the First Information Report in Cr.No.175 of 2020 on the file of the Inspector of Police, N4,Fishing Harbour Police Station, Chennai-600081, by including the offences under Section 306 I.P.C.within a time stipulated by this Court.

For Petitioner

: Mr.D. Saravanan

For Respondents : Mrs. Kiruthiga Kamal
Government Advocate(Crl.side)

ORDER

This Petition has been filed seeking direction to the Police to alter the First Information Report in Cr.No.175 of 2020 on the file of the Inspector of Police, N4,Fishing Harbour Police Station, Chennai-600081, by including the offences under Section 306 I.P.C.within a time stipulated by this Court.

2. It is the grievance for the petitioner that though the FIR has been registered u/s 174 Cr.P.C., FIR has to be altered u/s 306 of I.P.C. It is the contention of the Petitioner that his daughter died on 16.04.2020 and the Police has registered a case in Cr.No.175 of 2020 for the offence u/s 174 of Cr.P.C. It is further contended by the Petitioner that on verification of the call history of the victim mobile, an unknown person contacted the victim for several times before her death. Therefore, crime has to be altered to 306 IPC.

3. It is the contention of the learned Government Advocate (Crl.Side) that since the deceased died by suicide, crime has been registered u/s.174 Cr.P.C. and investigation is in process and they have also sought call history from the authorities and they do investigation properly.

4. In such a view of the matter there cannot be any direction to alter the FIR. It is for the investigating officer to investigate the matter properly and collect all the materials and if found somebody is reason for abetment of suicide, it is well within the right of the investigating officer to alter the FIR and investigate the matter as per law.

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

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Index :Yes/No

Internet :Yes/No

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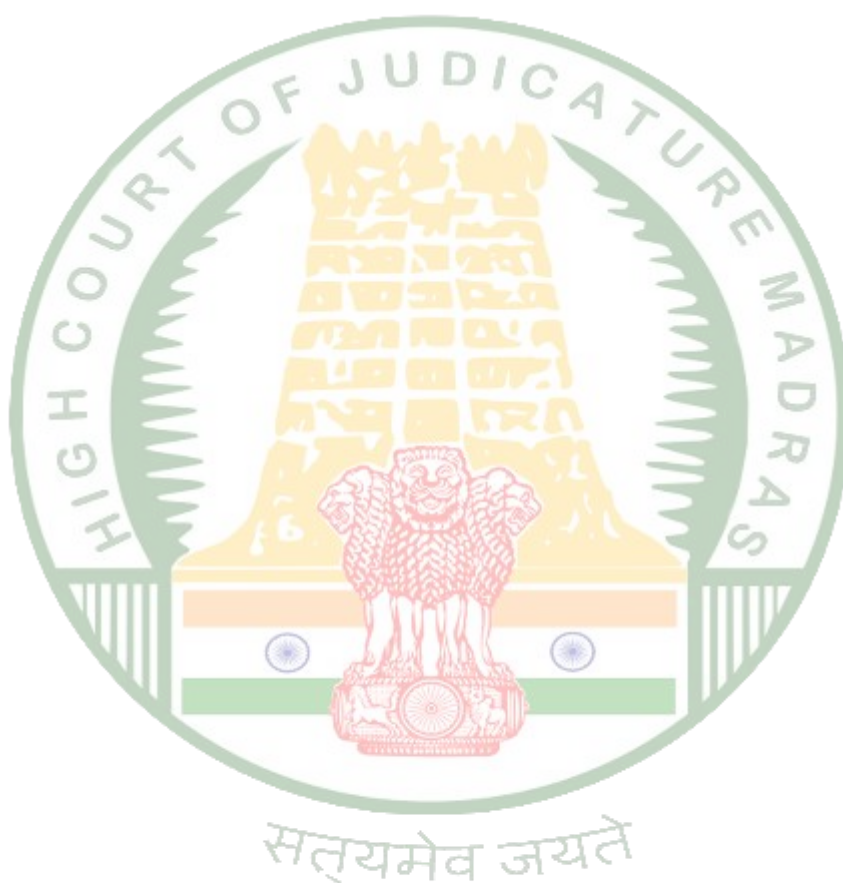
1. The Commissioner of Police,
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2. The Inspector of Police,
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3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.7525 of 2020

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