

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 11082 of 2020

K.Selva Kumar,
S/o. Krishnan,
35 b, Harijana Colony,
Kalickanacikenpalayam,
Coimbatore - 641007.

...Petitioner

.Vs.

1. The Superintendent of Police,
Coimbatore District.

2. State Rep. By
The Inspector of Police,
Thondamuthur Police Station,
Coimbatore District.
(Cr.No.467/2020)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent to alter the offences under Section 324, 506 (ii) IPC in Cr.No.467 of 2020 on the file of the second respondent police to Section 302 IPC and file a final report within stipulated time.

For Petitioner : Mr.G.R.Deepak

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor.

सत्यमेव जयते
ORDER

This petition has been filed seeking direction, directing the second respondent to alter the offences under Section 324, 506 (ii) IPC in Cr.No.467 of 2020 to Section 302 IPC.

2. The learned counsel appearing for the petitioner submitted that the petitioner's brother was attacked by the accused persons and as such, he sustained serious injuries and therefore, he died. The respondent police did not register a case for the offences under Sections 324, 506 (ii) IPC. Further, he submitted that there is a material evidence to connect the accused persons for the offences under Sections 302 of IPC.

3. The learned Additional Public Prosecutor submitted that on the complaint lodged by the petitioner, initially the case was registered under Sections 324, 506 (ii) of IPC in Cr.No.467 of 2020 as against the accused persons. Now they are awaiting the report of viscera.

4. Considering the above submissions, the petitioner is directed to produce all the material evidence as against the accused persons attracted the offences under Section 302 of IPC. On receipt of the same, the second respondent is directed to consider the materials produced by the petitioner and if any other offences attracted as against the accused persons, complete the investigation and file a final report against the accused persons within a period of three months from the date of receipt of a copy of this order.

With the above observations and direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Coimbatore District.
2. The Inspector of Police,
Thondamuthur Police Station,
Coimbatore District.
3. The Addl. Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 11082 of 2020

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