

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12221 of 2020

Thavasiraj,
S/o. Ramasamy,
Kannamoochi post,
Kolathur via,
Mettur Taluk,
Salem District.

.... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The District Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Kolathur Police Station,
Mettur Taluk,
Salem District.

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to alter the offences under Sections 294(b) and 506(1) IPC and to include the section of Information Act as against the accused persons in connection with the case in Crime No.389 of 2020 on the file of the second respondent police and to register the fresh FIR based on the complaint given by the petitioner dated 02.07.2020 and consequently to file the final report within stipulated time.

For Petitioner : Mr. M.Senthilkumar

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

O R D E R

This Criminal Original Petition has been filed to direct the second respondent police to alter the offences under Sections 294(b) and 506(i) IPC and to include the section of Information Act as against the accused persons in connection with the case in Crime No.389 of 2020 on the file of the second respondent police and to register the fresh FIR based on the complaint given by the petitioner dated 02.07.2020 and consequently to file the final report within stipulated time.

2. Learned counsel for the petitioner would submit the petitioner had produced the materials before the second respondent to attract the offences under Information Technology Act but the respondent failed to register any case under Information Technology Act. Hence, he filed this petition.

3. Learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner is an accused in other case and now trial is pending and while he was attending the Court, there was threatening to him and hence the second respondent had registered the case under Section 294(b) and 506 (i). He further submitted that absolutely no material was produced before the respondents to attract the offences under Information Technology Act.

4. Considering the above submissions, the petitioner is directed to furnish all the materials to the second respondent and the second respondent is directed to complete the investigation and file final report within a period of twelve weeks from the date of receipt of entire materials from the petitioner. It is also made clear that the second respondent is at liberty to alter the offences if any material is produced by the petitioner to attract the offence under Information Technology Act.

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

Sd/-
Assistant Registrar

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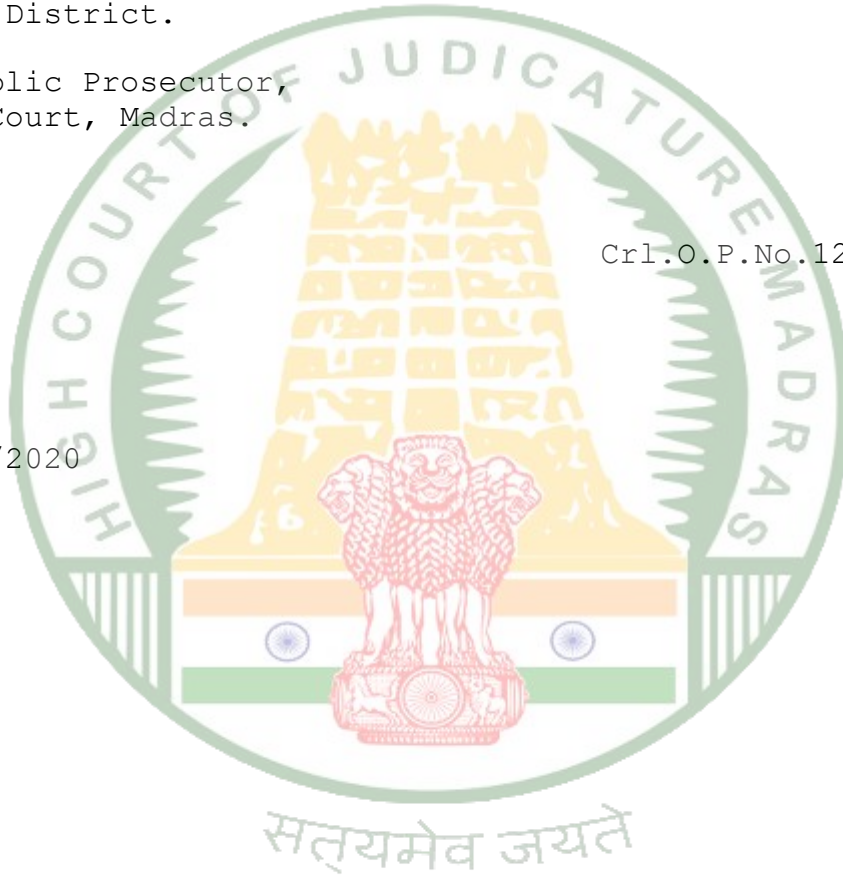
Sub Assistant Registrar

To

- 1.The Superintendent of Police,
O/o. The District Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Kolathur Police Station,
Mettur Taluk,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.12221 of 2020

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srg 22/10/2020



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