

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.28610 of 2019

M.Poovarasam
S/o.Muthu
Kallapatti Village,
Kattukottai, Achalvadi Post,
Karur Taluk,
Dharmapuri District. ... Petitioner/Defacto Complainant

Vs.

- 1.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.
- 2.The Deputy Superintendent of Police,
Harur, Dhamapuri District.
- 3.The Inspector of Police,
Harur Police Station,
Dharmapuri District. ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 3rd respondent police to alter the F.I.R. in Crime No.159 of 2019 by including the sections 307, 354 & 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act within a time frame.

For Petitioner : Mr.E.Sathiyaraj

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

ORDER

This petition has been filed seeking direction directing the 3rd respondent police to alter the F.I.R. in Crime No.159 of 2019 by including the offence under sections 307, 354 & 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. Learned Additional Public Prosecutor submitted that the third respondent had completed the investigation and also filed final report before the Judicial Magistrate, Harur and on receipt of the same, the learned Judicial Magistrate has taken cognizance in C.C.No.230 of 2019 for the offence

punishable under Sections 294(b), 324, 326 of IPC as against the accused person and the case is pending for trial.

3. Considering the above submission, the alteration of F.I.R. does not arise since the 3rd respondent had completed the investigation and filed final report in C.C.No.230 of 2019 pending on the file of the Judicial Magistrate, Harur. However, the petitioner is at liberty to invoke provisions under Sections 216 and 319 of Cr.P.C. before the trial Court during trial.

4. Accordingly, this Criminal Original Petition is disposed of .

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

bri

To

1.The Judicial Magistrate, Harur.

2.The Superintendent of Police,
Dharmapuri,
Dharmapuri District.

3.The Deputy Superintendent of Police,
Harur, Dharmapuri District.

4.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

5. The Public Prosecutor,
High Court, Madras.

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MG(CO)
GMY(28/10/2020)