



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P. (MD) .No. 1389 of 2020

T. Kingsly

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

(Crime No. 290 of 2019)

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to pass an order to direct the respondents to alter the sections from 324 and 506(2) of I.P.C. to 324, 340,341,307 and 506(2) in Crime No.290 of 2019 on the file of the 2nd respondent police, on the basis of the petitioner complaint dated 24/06/2019.

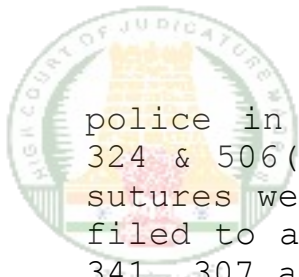
For Petitioner : Mr.A.MU.Saravanan

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

O R D E R

This Criminal Original Petition is filed to direct the respondents to alter the sections from 324 and 506(2) of I.P.C. to 324, 340,341,307 and 506(2) in Crime No.290 of 2019 on the file of the 2nd respondent police, on the basis of the petitioner complaint dated 24/06/2019.

2. The case of the petitioner is that, there was a dispute between the petitioner and one Varathan S/o.Sooraiiah with regard to usage of a pathway and that the said Sooraiah has threatened the petitioner and his family members. The further case of the petitioner is that on 13.06.2019, when the petitioner was crossing along the house of Sooraiah, the said Sooraiah along with his wife, Panneer and son Varathan attacked the petitioner with iron rod due to which he sustained injuries in the hand and head and the accused has also threatened the children of the petitioner. The petitioner was admitted in the hospital and he has given a complaint against them and a case was registered by the respondent



police in Crime No. 290 of 2019 for the offences under Sections 324 & 506(2) of IPC. The petitioner has sustained head injury and sutures were given by the doctor. Hence, the present petition is filed to alter the sections from 324 & 506(ii) of IPC to 324, 340, 341, 307 and 506(ii) of IPC in the First Information Report.

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3. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner has sustained injuries on the head and hand. However, since the complainant did not disclose averments for the offence under Section 307 of IPC the respondent police had registered the case for the offences under Sections 324 & 506(ii) of IPC. The respondent police has registered a case in Crime No.290 of 2019 and the investigation is done in a proper manner and the final report will be filed within a stipulated time that may be fixed by this Court.

4. At this juncture, the learned counsel for the petitioner would submit that it would be sufficient if the Deputy Superintendent of Police, Thirumangalam is directed to monitor the investigation.

5. Accordingly, direction is issued to the Deputy Superintendent of Police, Thirumangalam to monitor the investigation in Crime No. 290 of 2019 done by the second respondent and the second respondent shall complete the investigation and file the final report, within a period of Two months from the date of receipt of a copy of the order.

6. With the above observations, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(CS-I)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Madurai District, Madurai.

2. The Deputy Superintendent of Police,
Thirumangalam.



3. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.MU.SHARAVANAN, Advocate (SR-4527[F] dated
04/02/2020)

Crl.O.P. (MD) .No.1389 of 2020
03.02.2020

scr (CO)
TR(06.03.2020) 3P 6C