



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.(MD)No.9095 of 2020

... Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police
Avadaiyarkovil Police Station,
Pudukkottai District.
(Crime No.479 of 2020)

...Respondents/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second Respondent police to alter and add appropriate penal provision namely 307 of IPC in the First Information Report registered in Crime No.479 of 2020, dated 04.08.2020, and other penal offences.

For Petitioner : Mr.S.Veeranasamy

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the second Respondent police to alter and add appropriate penal provision namely, 307 of IPC in the First Information Report registered in Crime No.479 of 2020, dated 04.08.2020.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3.Today, when the matter is came up for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondents, on instructions, would submit that upon the complaint given by the petitioner / defacto complainant, the second respondent herein registered a case in Crime No.479 of 2020 dated 04.08.2020, for the offences punishable under Sections 147, 148, 452, 294(b), 324, 323, 427, 506(2) of IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4.In this regard, he would further submit that as of now all the accused involved in the alleged crime have got Anticipatory Bail from the competent Court of law. The said submission made by the learned Additional Public Prosecutor is recorded.

5.In general, the investigation into crimes is a



'prerogative' of the police and the Courts should not interfere in its every stage. The top Court said that a Court's interference at each and every stage as it would affect the normal course of the investigation. The investigation of a cognizable offence and the various stages therein including the interrogation of the accused exclusively reserved for the investigating agency whose powers are unregulated as long as the investigating officer exercises his investigating powers within the provisions of the law and the legal bounds.

6. Accordingly, I am of the constrained opinion that this Court cannot direct the Investigation Officer to complete the investigation in a particular manner as directed by this Court. Therefore, the application filed by the petitioner is absolutely not maintainable.

7. Accordingly, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1. The Superintendent of Police
Pudukkottai District,
Pudukkottai.
2. The Inspector of Police
Avadaiyarkovil Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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