



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Cr1.O.P. (MD) No.13344 of 2020

V.Marimuthu

... Petitioner/Defacto
Complainant

Vs.

The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District,
Crime No.15 of 2019

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police to further investigate the case in Crime No.15 of 2019 dated 28.07.2019, on the file of the respondent police and include all the sections for the offences made out in the complaint and file a final report before the concerned Magistrate.

For Petitioner : Mr.A.Vadivel

For Respondent : Mr.V.Neelakandan

Additional Public Prosecutor

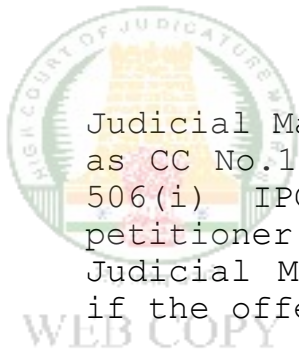
ORDER

Heard the learned counsel on either side.

2.This petition has been filed to direct the respondent police to further investigate the case in Crime No.15 of 2019 dated 28.07.2019, on the file of the respondent police and include all sections for the offences made out in the complaint and file a final report before the concerned Magistrate.

3. The learned counsel for the petitioner would submit that based on the complaint given by the petitioner, the respondent police have registered a case in Crime No.15 of 2019, under Section 498(A), 406, 506(i) of IPC alone. He would further submit that offence under Section 307 IPC has been made out, the same has to be included in the First Information Report. Hence, he would pray to direct the respondent police to include the Section 307 IPC in Crime No.15 of 2019.

4.When the matter is taken up for hearing today, the learned Additional Public Prosecutor, on instructions, would submit that based on the complaint given by the petitioner, First Information Report in Crime No.15 of 2019 has been registered on 28.07.2019. Thereafter, Final Report has been filed before the



Judicial Magistrate Court, Karaikudi and the case also taken on file as CC No.10 of 2020, for the offences under Sections. 498(A), 406 & 506(i) IPC. The next date of hearing is 07.12.2020. If the petitioner is aggrieved, he will have to approach the concerned Judicial Magistrate and file a petition for alteration of section, if the offence is made out.

5.Recording the submission so made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

// 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 Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District,

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

+1 CC to M/s.A.VADIVEL, Advocate (SR-22784[F] dated 26/11/2020)

Cr1.O.P. (MD)No.13344 of 2020
24.11.2020

SJ(CO)
AP(22/12/2020) 2P 4C