

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

Coram

The Honourable Mr. Justice G. CHANDRASEKHARAN

Crl.O.P.No.9125 of 2021

J.Prema @ Lakshmi

...Petitioner

Versus

State rep by

The Inspector of Police,
N-2, Kasimedu Police Station,
Kasimedu,
Chennai 600 013

...Respondent

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to direct the respondent- Police to conduct further investigation and include all the offences committed by the accused stated in the complaint dated 01.01.2021 by considering petitioner's representation dated 20.03.2021.

For Petitioner : Ms.Shaikh Mehrunisa Kasim

For Respondent : Mr.Charles Prem Kumar,
Government Advocate,
(Crl.Side)

ORDER

This petition has been filed seeking a direction to the respondent-police to conduct further investigation to include all the offences committed by the accused stated in the complaint dated 01.01.2021 by considering the petitioner's representation dated 20.03.2021.

2. It is seen from the F.I.R in Crime No.7 of 2021 that on the basis of the complaint given by the petitioner, a case under Sections 448 and 324 of I.P.C was registered on the allegations that on 01.01.2021, there was a dispute with regard to operating the water motor meant for supplying water. Then, at about 10.00 a.m on the same day, the accused Mohan's daughter Sowmiya, Vaishali and Sowmiya's husband one Vimal illegally trespassed into the petitioner's house and attacked her and her sons Parveesh and Ashwin and used filthy language, which resulted in, her son Ashwin sustaining injuries and he was taken for treatment to the hospital. This was the main allegation made

in the First Information Report. Now, the petitioner has given a detailed representation dated 20.03.2021 addressed to the Commissioner of Police, Vepery, Chennai. Now, she wants to include the allegations made in the representation dated 20.03.2021 to be considered and the necessary alterations have to be made in the F.I.R by incorporating new sections for the alleged offences, like snatching of chain etc.,

3. It is submitted by the learned Additional Public Prosecutor appearing for the respondent submitted that the investigation in this case is pending.

4. Taking note of the fact that the investigation in this case is pending, it is open to the petitioner to give further statement, if she has already given statement or if she has not given statement so far, incorporating the above allegations. The police, on investigation, if necessary, may alter or include new sections made out from the allegations, which are supported by material evidence.

5. In such view of the matter, this Court finds that no direction is necessary in this case for further investigation.

6. With these observations, this petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

1. The Inspector of Police,
N-2, Kasimedu Police Station,
Kasimedu,
Chennai 600 013

2. The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

Cr1.O.P.No.9125 of 2021

UM(CO)
GN(16/06/2021)