



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12215 of 2021

Thangaraj,
S/o, Dhanapal

... Petitioner

Versus

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to conduct the further investigation in Crime No.237 of 2021 and include all the offences committed by the accused as stated in the complaint dated 29.05.2021 by considering the petitioner's representation dated 29.06.2021.

For Petitioner : Mr.E.Sathyaraj

For Respondents : Mr.E.Raj Thilak
Government Advocate,
(Criminal Side)

ORDER

This Criminal Original Petition is filed by the petitioner to direct the 2nd respondent to conduct the further investigation in Crime No.237 of 2021 and include all the offences committed by the accused as stated in the complaint dated 29.05.2021 and by considering the petitioner's representation dated 29.06.2021.

2. The petitioner was assaulted by the petitioner's brother, sister and their family members. Thereafter taken to Government Hospital, Kilpauk. From the hospital, intimation was sent to the respondent police who had come there received the complaint, registered F.I.R in Crime No.237 of 2021 on 22.06.2021 for the



offences under sections 294(b), 323, 324 & 506(2) of IPC.

3. The grievance of the petitioner is that when he was taking treatment in the hospital, the police came there and received the complaint and further obtained signatures in the blank papers for the reason that if there is any correction it may be needed on the other hand a different version of complaint has been filed. The original complaint not registered as F.I.R. The petitioner further submitted that the offences under sections 147, 148 and 307 of IPC, section 4 of Tamil Nadu Prohibition of Harassment of Women Act are not included in the F.I.R despite allegation made and found in the complaint.

4. The learned Public Prosecutor submitted that the petitioner and his brothers own adjacent lands and there is some dispute over the boundaries of their lands. Due to which, the petitioner and his brother, picked up quarrel, exchanged blows and attacked each other. On the date of occurrence, the complaint has been lodged by the petitioner's brother in Crime No.238 of 2021 for the offences under sections 294(b), 323 and 324 of IPC. Both the complaints are being under investigation and during the investigation materials are collected and based on the wound certificate, doctor statement sections would be altered if needed. Investigation is still pending. He sought for the dismissal of the petition.

5. Considering the submissions and the materials placed on record, if the petitioner has got any grievance and if he is possession of the materials to substantiate his grievance, the same to be produced to the respondent police. The respondent police is directed to receive and investigate about the grievance of the petitioner, both the Crime Nos.237 and 238 of 2021 to be investigated simultaneously and after the completion of investigation file appropriate final report.

6. With the above directions, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mfa



To

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.E.Sathyaraj, Advocate, S.R.No.34366

CRL.O.P.No.12215 of 2021

PMK(CO)
CT(09/08/2021)