

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.20021 of 2020

Sathyamurthy

...Petitioner

.Vs.

State by

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

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

3.Murugesan

4.Vijayakumar

5.Permatha

6.Archana

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to include the respondents 3 to 6 as accused in the above FIR in Cr.No.1200/2020 on the file of 2nd respondent Police.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.M.Mohamed Riyaz
(Crl.Side)
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for a direction to the respondents to include certain persons as accused persons in the FIR registered in Crime No.1200/2020.

2.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and a Final Report has been filed before the learned Judicial Magistrate No.I, Krishnagiri, on 18.11.2020, for an offence u/s 302 of IPC against one accused person.

3.In view of the above development, the relief sought for by the petitioner cannot be granted by this Court. The addition of accused persons even during the course of the proceedings is available u/s 319 of Cr.P.C., based on the evidence that is collected during the course of enquiry or trial. This Court cannot pass any orders to add anyone as accused persons in exercise of its jurisdiction u/s 482 of Cr.P.C. The law on this issue is well settled and the petitioner has to necessarily await the further proceedings before the trial Court to enable the trial Court to ascertain and come to a conclusion as to whether any other persons were involved in the crime and whether they should be added as accused in this case.

4.This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate No.I
Krishnagiri
- 2.The Chief Judicial Magistrate
Krishnagiri District
- 3.The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
- 4.The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.

5.The Public Prosecutor,
High Court, Madras

CRL.O.P.No.20021 of 2020

KK (CO)
SP (25/01/2021)



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