



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.09.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.17438 of 2021

K.Sabarinathan,
S/o. Kannan

.....Petitioner

Versus

The State Rep. by
Inspector of Police,
Sirupakkam Police Station,
Veppur taluk,
Cuddalore District-606 123

....Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the respondent to alter the FIR by including offence under Section 307 IPC in the FIR No.108 of 2021 dated 15.06.2021 on the file of respondent and investigate the same in accordance with law.

For Petitioner : Mr.T.Velu
For Respondent : Mr.R.Vinoth Raja
Govt. Advocate (Crl.side)

ORDER

(This case has been heard through video conference)

The petitioner/defacto complainant in Crime No.108 of 2021 had filed this petition seeking direction to include offence under Section 307 of IPC in this case.

2. The contention of the petitioner is that the petitioner was brutally attacked by the accused with deadly weapons and caused grievous injury, but for the timely treatment, he would have succumbed to the injuries. Hence, offence under Section 307 IPC ought to be included.

3. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that in this case, investigation completed and charge sheet filed before Judicial Magistrate No.1, Virudhachalam on 29.09.2021 for offence under Section 294, 506(ii), 326 of I.P.C. After getting the medical records and opinion from the Doctor, injuries are grievous in nature, grievous offence is included.



4. Recording the same, this Criminal Original Petition is disposed of. If the petitioner got any other grievances, he can appear before the concerned Magistrate court and file a protest petition with medical records and contemporary documents. The respondent police is directed to inform the petitioner about the filing of charge sheet before the concerned court.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rpp/nr

To

1.The Judicial Magistrate No.1,
Virudhachalam.

2.The Inspector of Police,
Sirupakkam Police Station,
Veppur taluk,
Cuddalore District-606 123

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.T.Velu, Advocate Sr.NO. 53560 (24.02.2022)

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RSV(CO)

A.SK(20.10.2021)