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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM :

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Cr1.O.P.No.18677 of 2021

Sivashankari

... Petitioner

Vs.

1.State, rep. by
The Superintendent of Police,
Perambalur District,
Perambalur.

2.The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

3.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the 3rd respondent to alter the FIR in Cr.No.1279 of 2020, by adding relevant section for theft of gold chain committed by the accused persons, add all the persons who are involved in occurrence as accused, by considering the representation dated 04.01.2021 given by the petitioner's brother namely Muthurasan and to complete the investigation within a time limit to be stipulated by this Court.

For Petitioner :Mr.M.Vijaya Ragavan

For Respondents :Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 3rd respondent to alter the F.I.R. in Crime No.1279 of 2020, by adding relevant section for theft of gold chain committed by the accused persons, add all the persons who are involved in occurrence as accused, by considering the representation, dated 04.01.2021, given by the petitioner's brother, namely



Muthurasan, and to complete the investigation within a time limit to be stipulated by this Court.

2.The petitioner had lodged the complaint in Crime No.1279 of 2020 on the file of the 3rd respondent for the offences under Sections 147, 148, 294(b), 323, 324, 365 & 506(i) IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3.The contention of the petitioner is that, despite several persons have been involved in the offence, the respondent Police have selectively implicated certain persons and not included all the persons as accused in the case. The vehicle TATA SUMO, in which kidnap had taken place, has not been seized. The injuries sustained are grievous in nature, but the weapons have not been seized in this case. Hence, the petitioner seeks for alteration of FIR and to complete the investigation within a time limit.

4.The learned Additional Public Prosecutor, appearing for the respondents, submitted that it is a case and counter and the counter case in Crime No.1280 of 2020 has been registered for the offences under Sections 294(b), 323 & 324 IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. He further submitted that it is a dispute between the family members and allegations have been made against each other and the dispute is with regard to property. The petitioner's complaint and the counter complaint have been investigated and final report is to be filed in both the cases. He further submitted that the grievances of the petitioner are considered and after collection of materials, the same would be addressed and in any event, the final report would be filed within a period of three months.

5.Considering the fact that it is a case and counter and recording the submissions of the learned Additional Public Prosecutor, the respondent Police is directed to file a final report within a period of three months from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



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To

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

2.The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

3.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Vijayaragavan, Advocate Sr.53941

Cr1.O.P.No.18677 of 2021

sr-II[co]
srg 11/11/2021