

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.19382 of 2020

Narayanasamy

...Petitioner

.Vs.

The Inspector of Police,
Berigai Police Station,
Krishnagiri District.
(Crime No.369 of 2020)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to alter/include the offence under Section 424, 445, 447 & 450 of the Indian Penal Code, 1860 and Section 3 of the PPD Act in Crime No.369 of 2020 dated 17.10.2020.

For Petitioner : Mr.R.Jayaprakash

For Respondent : 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 respondent Police to alter the offence in the FIR that was registered in Crime No.369 of 2020.

2.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and a closure report as mistake of fact will be filed before the learned Judicial Magistrate No.I, Hosur, within a period of two weeks.

3.The learned counsel for the petitioner submitted that inspite of *prima facie* materials available to the respondent Police, to file a Final Report for offences under Section 424, 445, 447 and 451 IPC and Section 3 of the PPD Act, the respondent Police have proceeded further to file a closure report before the Court below.

4.In the considered view of this Court, the relief sought for in this petition cannot be granted by this Court since the investigation has already been completed and the respondent

Police is going to file a closure report before the learned Judicial Magistrate I, Hosur. A notice shall be served on the petitioner to enable the petitioner to file a Protest Petition before the concerned Court in order to work out his remedy in accordance with law. Except giving this liberty, no further orders can be passed in this criminal original petition.

This Criminal Original Petition is disposed of with the above directions.

05.01.2021

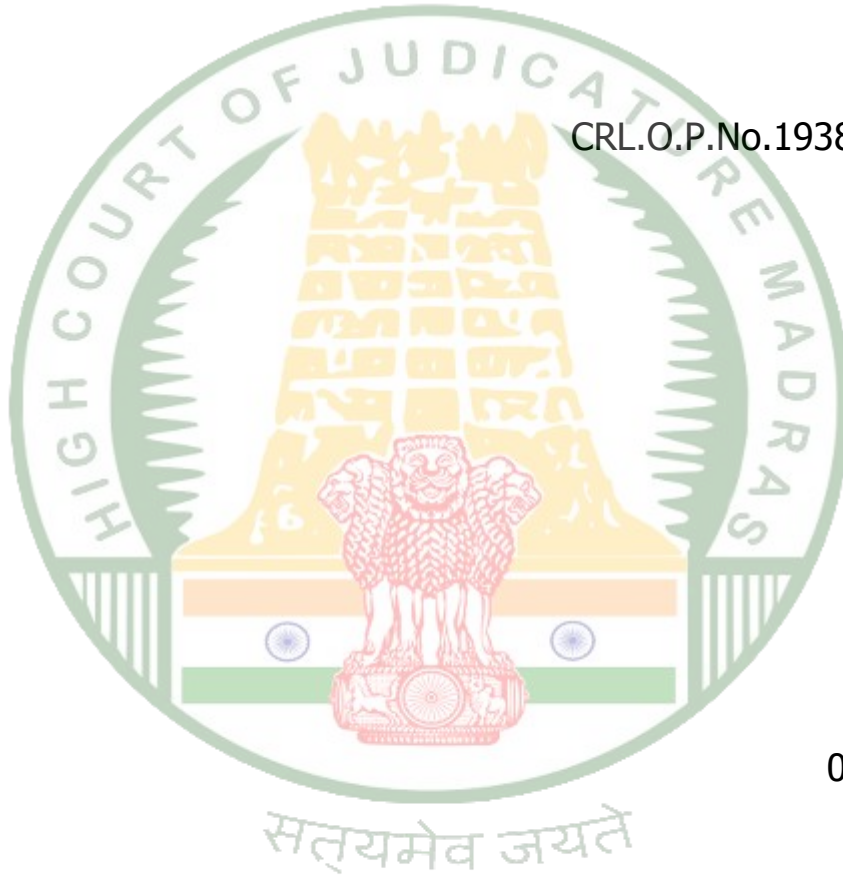
Index : Yes/No
Internet: Yes/No
KP

To

1.The Inspector of Police,
District Crime Branch (SCS-II),
O/o.The Superintendent of Police Campus,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH.J.,



CRL.O.P.No.19382 of 2020

05.01.2021

WEB COPY