



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.24386 of 2021

S.Murugan
S/o, Saminatha Gounder

... Petitioner

Versus

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

2. The Deputy Superintendent of Police,
O/o The Deputy Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.

3. The Inspector of Police,
Chengam Police Station,
Tiruvannamalai,
Tiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to alter the F.I.R and include the section 307 of IPC in Crime No.704 of 2021 dated 14.09.2021 and to conduct investigation and file final report based on the same.

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner to alter the F.I.R and include section 307 of IPC in Crime No.704 of 2021 dated 14.09.2021 and to conduct investigation and file final report based on the same.

2. Learned counsel for the petitioner would submit that due to previous enmity, the petitioner and his wife were assaulted by his adjacent land owners. Further, during the assault, the petitioner was thrown into the well with the intention to kill him. The accused had also thrown huge stones



into the well. Hence, the petitioner preferred a complaint before the respondent police. The respondent police registered case in Crime No.704 of 2021 for the offence punishable under sections 294(b), 323, 324 and 506(ii) IPC r/w section 4 of Women Harassment Act. Though the respondent police were informed about the said occurrence and also sent representation dated 25.10.2021 to alter the F.I.R, they have not considered the same and not included the section 307 IPC. Hence the petition.

3. Learned Additional Public Prosecutor appearing for the respondents submitted that though it is stated that the petitioner has sent a representation dated 25.10.2021, the same not received. He further submitted that if the petitioner produce the copy of the representation, the third respondent police would consider the same and if materials found, the appropriate section would be included.

4. In view of the above submission, this Court directs the petitioner to appear before the third respondent along with the copy of the representation dated 25.10.2021 and with other documents in support of his contention. The third respondent is directed to consider the same and take appropriate action in accordance with law.

5. With the abovesaid direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mfa

To

1. The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
2. The Deputy Superintendent of Police,
O/o The Deputy Super of Police,
Tiruvannamalai,
Tiruvannamalai District.
3. The Inspector of Police,
Chengam Police Station,
Tiruvannamalai,
Tiruvannamalai District.



4. The Public Prosecutor,
High Court,
Madras.

WEB COPY

+1cc to Mr.P.Balamurugan, Advocate SR.No.67775

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GP (CO)
GMY (10/01/2022)