



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18318 of 2021

Isakkiyammal

... Petitioner

Vs.

1.The Superintendent of Police,
Thenkasi District.

2.State rep. By its,
The Inspector of Police,
Kadayanallur police station,
Thenkasi District.
(Crime No.379 of 2021)

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the second respondent to incorporate all the offence also committed by the accused along with other offence in Crime No.379 of 2021 on the file of the second respondent and conduct the investigation in proper manner.

For Petitioner	: No Appearance
For Respondents	: Mr.M.Sakthi Kumar, Government Advocate.

* * *

O R D E R

None appears for the petitioner.

2. The prayer in this criminal original petition is for directing the second respondent to file alteration report for incorporating certain offences.

3. As rightly pointed out by the learned Government Advocate, First Information Report was registered only on 12.10.2021. The investigation is still pending. The investigation officer is waiting for wound certificate. From a reading of the First Information Report it is clear that in the First Information Report it has been mentioned that the accused had told the petitioner that if her husband enters the locality, he will be killed. From this, one can safely come to the conclusion that the intention of the accused is only to cause grievous injuries to the petitioner's husband and their intention was not to kill. Therefore, considering the averments set out in the First Information Report, the investigation officer rightly did not invoke 307 of I.P.C.



4. I do not find any reason to grant the direction sought for.
This criminal original petition is dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintendent of Police,
Thenkasi District.
- 2.The Inspector of Police,
Kadayanallur police station,
Thenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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MMS (CO)

GC(30.11.2021) 2P 4C