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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1130 of 2022

M.Ranjith

... Petitioner

Versus

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

2. The Inspector of Police,
Katpadi Police Station,
Katpadi,
Vellore District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a suitable direction to the second respondent police to alter the FIR in Crime No.625 of 2017 pending on the file of the second respondent by including an offence under Section 307 IPC and to file fresh FIR and to file a final report.

For Petitioner : Mr.S.Gowri Shankar

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

O R D E R

This Criminal Original Petition is filed to issue a suitable direction to the second respondent police to alter the FIR in Crime No.625 of 2017 pending on the file of the second respondent by including an offence under Section 307 IPC and to file fresh FIR and to file a final report.

2.The grievance of the petitioner is that the petitioner, petitioner's brother and his father were assaulted by the



accused on 25.08.2021 and they sustained injury. The injured were immediately taken to the Vellore Medical College Hospital. Accident Register given. The respondent police failed to take any action. Thereafter, the petitioner filed a petition under Section 156(3) Cr.P.C. before the Judicial Magistrate, Katpadi. Thereafter only the FIR in Crime No.625 of 2021 came to be registered.

3.The petitioner's contention is that the major offence under Section 307 IPC has not been included, despite the medical records produced, only the offence under Sections 342, 294(b) 324, 506 (ii) and 109 IPC have been included. In support of his contention, the petitioner also produced the Accident Register copy report.

4.The learned Additional Public Prosecutor submits that from the Accident register copy it is seen that no head injury recorded as contended by the petitioner, only there was a laceration injury. Though he makes such averments no such medical records found. Otherwise, the petitioner and the injured persons appeared along with the medical records, after verifying the same and after getting opinion from the Doctor necessary inclusion of the above section would be made. Further the respondent police on conclusion of investigation, final report to be filed within the stipulated period.

5.In view of the same, the petitioner and the injured persons are directed to appear before the respondent police along with the copy of the complaint and the medical records in support of his contention. The respondent police is directed to file the final report, within the stipulated period.

6.With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

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



2. The Inspector of Police,
Katpadi Police Station,
Katpadi,
Vellore District.

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3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.1130 of 2022

PCH(CO)
SU(09/02/2022)