



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8920 of 2022

MathanRaj

... Petitioner

Vs.

1. The Commissioner of Police,
O/o. Deputy Commissioner of Police,
T-Nagar, Chennai.

2. The Inspector of Police,
Virugampakkam Police Station,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to alter the offence in Crime No.191 of 2022 dated 12.03.2022 under Section 294(b), 506(i), included the offences under Section 420, 465 R/w 34 of IPC pending before the 2nd respondent.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking to direct the respondents to alter the offence in Crime No.191 of 2022 dated 12.03.2022 under Section 294(b), 506(i), included the offences under Section 420, 465 R/w 34 of IPC pending before the 2nd respondent.

2. Learned counsel appearing for the petitioner would submit that on the direction from the learned Metropolitan Magistrate No.XXIII, Saidapet, Chennai in Crl.M.P.No.1313 of 2022 dated 02.03.2022, the respondent police had registered a case in Crime No.191 of 2022. He would further submit that though, there are specific allegations in respect of the fabrication of documents



and forgery in the complaint, the respondent police, instead of registering a case under Section 420, 465 r/w 34 of IPC, had registered a case only for the offences under Sections 294(b), 506(i) of IPC. He would also submit that the respondents had specifically left out those allegations to safeguard the interest of the accused and thereby, the present petition has been filed seeking to alter the offences in Crime No.191 of 2022.

3. Learned Additional Public Prosecutor would submit that a case has been registered based on the direction from the learned Metropolitan Magistrate No.XXIII, Saidapet, Chennai in CrI.M.P.No.1313 of 2022. He would further submit that due enquiry would be conducted and if necessary during the course of investigation, if any materials are found, then the FIR will be suitably altered.

4. Heard the learned counsel and perused the materials available on record.

5. In view of the above, this Criminal Original Petition stands disposed of. Further, the respondent police is directed to conduct enquiry and alter the FIR in the event materials are found there for.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Commissioner of Police,
O/o. Deputy Commissioner of Police,
T-Nagar, Chennai.
2. The Inspector of Police,
Virugampakkam Police Station, Chennai.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.P.Muthamizh Selvakumar, Advocate Sr.27579

CrI.O.P.No.8920 of 2022

rsi[co]
srg 05/05/2022