



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.13785 OF 2022

Kowsalya

... Petitioner/Defacto
Complainant

.Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Thiruvarur District.
2. The Inspector of Police,
Vadapathimangalam Police Station,
Thiruvarur District.

... Respondents

PRAYER:-

This Criminal Original Petition filed under Section 482 Cr.P.C. Praying, to direct the respondents to alter the F.I.R. in Crime No.50 of 2022 dated 22.04.2022 under Section 294(b), 324, 506(ii) included the offences under Section 354, 307 of I.P.C. r/w Section 4 of TNPHW Act pending before the 2nd respondent.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to alter the F.I.R. in Crime No.50 of 2022 dated 22.04.2022 under Section 294(b), 324, 506(ii) by including the offences under Section 354, 307 of I.P.C. r/w Section 4 of TNPHW Act, which is pending before the second respondent.



2. This Court finds that such blanket order cannot be granted. It is for the investigating agency to collect materials and find out whether such offence is made out or not. In the event, the investigating officer is failed to include necessary offences, the trial Court is not powerless. The learned Magistrate can alter the charges at any point of time based on the material collected by the investigating officer. This Court cannot direct the respondent Police to include the offence, which attract maximum punishment.

3. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Thiruvarur District.
2. The Inspector of Police,
Vadapathimangalam Police Station,
Thiruvarur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

CRL.O.P.NO.13785 OF 2022

VG-II(CO)
PBS/06/07/2022