

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.14560 of 2022

S.Sindhu

... Petitioner

Vs.

1. The Superintendent of Police
O/o. The Superintendent of Police
Erode, Erode District.
2. The Deputy Superintendent of Police
O/o. The Deputy Superintendent of Police
Erode, Erode District
3. The Inspector of Police
Kanjikoil Police Station
Kanjikoil
Erode District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 3rd respondent police to include the Section of SC & ST Act as against the accused person in connection with the case in Crime No.97 of 2022 on the file of the 3rd respondent police based on the representation given by the petitioner dated 26.05.2022 consequently to file the final report within stipulated time.

For Petitioner : Mr.R.Muruga Bharathi

For Respondents : A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the 3rd respondent police to include the Section of SC & ST Act as against the accused person in connection with the case in Crime No.97 of 2022 on the file of the 3rd respondent police based on the representation given by the petitioner dated 26.05.2022 and consequently to file the final report within a stipulated time.

2. The learned counsel for the petitioner would submit that despite the representation given by the petitioner, the police has registered the case only for the offences under Sections 417, 312 and 376(1) and not included the Sections of SC and ST Act.

3. This Court is of the view that such a direction cannot be given to the police. In the very complaint itself there is no whisper about any misconception of fact and there is no ingredients to register the case under SC/ST Act. Further, merely on the subsequent representation, this Court cannot direct the police to alter the FIR as desired by the petitioner. It is for the Investigating Officer to conduct enquiry and if any material is collected through investigation, they would file the final report as per law.

4. With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police
O/o. The Superintendent of Police
Erode, Erode District.
2. The Deputy Superintendent of Police
O/o. The Deputy Superintendent of Police
Erode, Erode District
3. The Inspector of Polcie
Kanjikoil Police Station
Kanjikoil
Erode District.
4. The Public Prosecutor
High Court, Madras.

+1cc to Mr.R.Muruga Bharathi, Advocate SR. No. 40601

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AKII (CO)
PR (12/07/2022)