



WEB COPY

Crl.O.P.No.27321 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.27321 of 2022

Pradeep Raj

...

Petitioner

versus

1.The Commissioner of Police,
Office of Commissionerate,
Avadi, Chennai.

2.The State Rep by,
Inspector of Police,
Poonamallee Police Station,
Chennai.

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the second respondent to alter the FIR and include the offence under Section 3(1) of TNPPDL Act, 1992 in Crime No.608 of 2022 on the file of the second respondent police.

For Petitioner : Mr.C.Premkumar

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



WEB COPY



ORDER

This Criminal Original Petition has been filed to direct the second respondent police to alter the F.I.R. and include the offence under Section 3(1) of TNPPDL Act, 1992 in Crime No.608 of 2022.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The learned counsel for the petitioner submitted that in the occurrence, the accused had damaged the property belonging to the petitioner but the second respondent police did not book the case under appropriate charges.

4. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that the property, which is alleged to have got damaged is not a private property and hence it may not be proper to alter the charges as requested by the petitioner.



WEB COPY

5. However, it is submitted by the learned counsel for the petitioner that even if the accused damages the private property in many cases he has been charged for the offence under Section 3(1) of TNPPDL Act also. In that case, it is up to the petitioner to make his appearance and make appropriate statement before the second respondent police. On receipt of the same, the second respondent police shall consider and do the needful in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

6. With these observations, this Criminal Original Petition stands disposed of.

09.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri



WEB COPY

To

1. The Commissioner of Police,
Office of Commissionerate,
Avadi, Chennai.
2. The State Rep by,
Inspector of Police,
Poonamallee Police Station,
Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.27321 of



R.N.MANJULA, J.

sri

Crl.O.P.No.27321 of 2022

09.11.2022