



Crl.O.P.No.27732 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.27732 of 2022

Sanjeevi

...
/vs/

Petitioner

1.The Superintendent of Police,
SP Office, Kallakurichi.

2.The Sub Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
(Crime No.300/2022)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the 2nd respondent to alter the FIR and include sections 34, 109, 325,448,307 IPC r/w Sec 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and also implead other accused in crime No.300/2022 dated 01.09.2022 on the file of the Sub Inspector of Police, Chinnasalem Police Station, Kallakurichi District.

For Petitioner

...

Mr. K.Murugesan

For Respondents

...

Mr.S.Santhosh
Govt.Advocate (Crl.side)



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ORDER

WEB COPY This criminal original petition has been filed to direct the 2nd respondent to alter the FIR and include sections 34, 109, 325, 448, 307 IPC r/w Sec 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and also implead other accused in crime No.300/2022 dated 01.09.2022 on the file of the Sub Inspector of Police, Chinnasalem Police Station, Kallakkurichi District.

2. When the matter is taken up for hearing, the learned Govt. Advocate (Crl.side) submitted that the case is under investigation. The petitioner's request is, to alter the offences under Sections 34, 109, 325, 448, 307 IPC r/w Sec 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. The respondent police, during the investigation, has found as to what offences committed by the accused persons, based on which, they have charged the accused persons in accordance with the offences committed by them.



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3. Therefore, during the investigation stage, it is not proper to direct the respondent police to add the offences under Sections 34, 109, 325, 448, 307 IPC r/w Sec 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. It is the domain of the police/ investigating officer to decide and come to the conclusion. Based on the available evidence, they have charged the accused persons in accordance with the offences committed by them. Hence, I find no merits. Accordingly, the criminal original petition is dismissed.

Index : Yes/No
Internet : Yes/No
sms

14.11.2022

To

1.The Superintendent of Police,
SP Office, Kallakurichi.

2.The Sub Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
(Crime No.300/2022)

3.The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM,J.

sms

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