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Criminal Original Petition No.16405 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.16405 of 2023

J.Elangovan
S/o.T.Jayaraman

...Petitioner

Vs

- 1.The State of Tamil Nadu
represented by
Superintendent of Police,
Cuddalore District.
- 2.The State of Tamil Nadu,
represented by
Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District.
- 3.Thamizharasi
D/o.Nagappan
- 4.Nagappan
- 5.Sasikumar
- 6.Uthayakumar
- 7.Mugundhan



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8.Mugil

9.Ashokkumar

10.Supramani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records pertaining to the FIR in Crime No.952 of 2021 on the file of second respondent and quash the same.

For Petitioner : Mr.Charles Kamalesh M.Appaji

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER

The *de facto* complainant has filed this petition questioning the date of occurrence that has been made in the First Information Report as 08.03.2021 instead of various hearing dates when the petitioner was threatened when he appeared for Court proceedings.

2. Heard learned counsel for petitioner and learned Additional Public



Prosecutor appearing for respondents 1 and 2.

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3. The specific case of the petitioner is that he was attending the Court proceedings initiated by him in G.W.O.P.No.23 of 2019 before the District Court, Cuddalore and according to the petitioner, his wife had engaged henchmen and made an attempt to attack the petitioner. The petitioner gave a complaint in this regard on 19.04.2021. However, the respondent police have entered in the First Information Report as 'after the incident had taken place on 08.03.2021'. The petitioner wants this date to be changed.

4. Learned Additional Public Prosecutor produced the case diary and it is seen from the complaint taken from the petitioner on 21.12.2021 that on 08.03.2021 he was abused and intimidated inside the Court premises by certain named persons.

5. In the considered view of this Court, the date cannot be altered in the First Information Report at this stage. It is left open to the respondent

N.ANAND VENKATESH, J



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police to record the statement of the petitioner u/s.161 Cr.P.C. and the petitioner can explain as to the incidents that took place. To that extent, the grievance expressed by the petitioner can be redressed.

This Criminal Original Petition is disposed of with the above direction.

24.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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- To
- 1.The Superintendent of Police,
Cuddalore District.
 - 2.The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District.
 - 3.The Public Prosecutor,
High Court, Madras.

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