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Crl.O.P.No.13820 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13820 of 2023

Venkatesh Reddy

...

Petitioner

VS

1.The State represented by
The Superintendent of Police,
Krishnagiri – 635 115.

2.The Inspector of Police,
Hudco Police Station,
Pathalapalli, Hosur – 635 109,
Krishnagiri District.

(Crime No.112 of 2023)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, directing the 2nd respondent to alter the FIR in Crime No.112 of 2023 and to include Section 326 of IPC and to investigate the same in accordance with law.

For Petitioner

...

Mr.M.Mohamed Riyaz

For Respondents

...

Mr.Leonard Arul Joseph Selvam
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed for directing the 2nd respondent to alter the FIR in Crime No.112 of 2023 and to include Section 326 of IPC and to investigate the same in accordance with law.

2. Learned counsel for the petitioner submitted that, in the incident concerned in Crime No.112 of 2023, petitioner suffered grievous injury. The Medical Officer has given an opinion that, petitioner has suffered grievous injuries. However, first information report was registered only for the offence under Section 294(b), 324 and 506(i) IPC and being investigated. Therefore, this petition filed for including the offence under Section 326 IPC.

3. Learned Government Advocate (Criminal side) submitted that, after seeing Medical Certificate, during the course of investigation, the offence under Section 326 IPC is included in the place of Section 324 IPC. Alteration report was filed for altering the offences under Section 294(b), 324 and 506(i) IPC to 294(b), 326 and 506(i) IPC.



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4. In view of the submission of the learned Government Advocate (Criminal side) that offence under Section 326 IPC is already included by filing alteration report, this Court is of the view that, nothing survives in this petition.

5. Accordingly, this Criminal Original Petition is disposed as infructuous, with a direction to the Investigating Officer to complete the investigation and file final report within a period of two months from the date of receipt of a copy of this Order.

21.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

gd

To

- 1.The State represented by
The Superintendent of Police,
Krishnagiri – 635 115.
- 2.The Inspector of Police,
Hudco Police Station,
Pathalapalli, Hosur – 635 109,
Krishnagiri District.
- 3.The Public Prosecutor,
High Court, Madras.

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