



Crl.O.P.No.20513 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.09.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**Crl.O.P No.20513 of 2023**

Mallika

W/o.Cinnadurai

...Petitioner/Defacto Complainant

VS.

1.The Superintendent of Police,  
Mayiladuthurai District,  
Mayiladuthurai.

2.The Deputy Superintendent of Police,  
Mayiladuthurai District,  
Mayiladuthurai.

3.The Inspector of Police,  
Kuthalam Police Station,  
Mayiladuthurai District.

...Respondents

**PRAYER:**

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent to alter the FIR by including the offence under section 302 of IPC against the accused persons in Crime No.269 of 2023 on the file of Inspector of Police, Kuthalam Police



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Station, Mayiladuthurai District and to conduct free and fair investigation and to file a final report.

For Petitioner : Mr.V.Arun Kumar

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor

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**ORDER**

This Criminal Original Petition has been filed seeking for a direction to the respondent police to alter the First Information Report in Crime No.269 of 2023 on the file of third respondent by including offence u/s.302 IPC.

2. Learned Additional Public Prosecutor, on instructions, would submit that the FIR was registered only on 28.06.2023 for offences under Sections 294(b) and 304(2) IPC. The investigation is in progress. If in the course of investigation, the respondent police collect sufficient materials, the offences will be altered accordingly and those involved in the crime will be shown as accused persons.



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3. In view of the above submission, there shall be a direction to the respondent Police to continue with the investigation effectively and based on the materials collected during the course of investigation, either alter the FIR or file the final report by adding the necessary offences made out. All those persons against whom the offences are made out, shall be added as accused persons in the final report.

This Criminal Original Petition is disposed of accordingly.

**07.09.2023**

Index : Yes/No  
Neutral Citation : Yes/No  
Speaking Order/Non-Speaking Order  
gm

To

- 1.The Superintendent of Police,  
Mayiladuthurai District,  
Mayiladuthurai.
- 2.The Deputy Superintendent of Police,  
Mayiladuthurai District,  
Mayiladuthurai.



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**N. ANAND VENKATESH, J**

gm

3.The Inspector of Police,  
Kuthalam Police Station,  
Mayiladuthurai District,

4. The Public Prosecutor,  
Madras High Court,  
Chennai 600 104.

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