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Crl.OP.No.10611 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**CRL.OP.No.10611 of 2024**

Mariasavari Rajan

... Petitioner

Vs.

The State Rep by  
Inspector of Police,  
Peranamallur Police Station,  
Thiruvannamalai  
Cr.No.143 of 2024

...Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to alter the FIR registered in Cr.No.143 of 2024, dated 01.04.2024 by including Section 307 of IPC and 7(1) of the Protection of Civil Rights (PCR) Act, 1955 and to further investigate the matter in a manner known to law.

For Petitioner : Ms. G. Selvi George

For Respondent : Mr.K.M.D.Muhilan  
Government Advocate (Crl.Side)

### **ORDER**

On the complaint given by the petitioner, the respondent police has registered a case in Cr.No.143 of 2024 for the alleged offences punishable under Sections 294 (b), 323 and 506 (1) of IPC.



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2. The petitioner herein wants the FIR to be altered by including

Section 307 of IPC and 7 (1) (c) of the PCR Act.

3. According to the learned counsel appearing for the petitioner, the petitioner is the Deputy Agricultural Officer, Perannamallur, Vandavasi Taluk, Thiruvannamalai District. Accused is the former Deputy Director of the same Department, who is under suspension for misappropriation, has barred into office. While the petitioner was in duty, accused had used unparliamentary and filthy words, calling him by his caste and insulted and also threatened him with dire consequences.

4. When this matter was reported in a written complaint to the respondent police, case has been registered only for the offences punishable under Sections 294 (b), 323, 506 (1) of IPC, but not under Section 307 of IPC and 7 (1) (c) of the PCR Act.

5. According to the learned counsel for the petitioner, the petitioner/defacto complainant converted as member of Scheduled Caste Community to Christianity who is entitled for protection under the provisions of the PCR Act and also the material placed before the police



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through complaint, prima facie attracts offence for an attempt to murder.

6. Learned Government Advocate (Crl.Side) for the respondent submits that as far as the written complaint given by the petitioner herein is concerned, the material discloses offences punishable under Sections 294(b), 323 and 506 (1) of IPC. However, the investigation is under way and if there is any material warrants alteration of the charges, the same will be done based on the material collected in the course of the investigation. As far as the offence under the PCR Act is concerned, since the complaint does not attract the provisions of the PCR Act, Investigation Officer has rightly thought it fit that no offence under the PCR Act is made out. If at all any evidence collected in the course of investigation discloses other offences, the Investigation Officer will make necessary alteration in the charges and file final report.

7. The above submission of the learned Government Advocate (Crl. Side) would suffice to explain that the materials so far collected is based on the complaint given by the petitioner during the course of investigation. Therefore, there is no necessity to give any specific



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direction to the Investigation Officer to alter or delete any provisions of the Penal Code for the present. It is left to the wisdom of the Investigation Officer to proceed in accordance with law and file a final report. If at all the complainant is aggrieved by the material placed by the Investigation Officer in the final report, he can approach the court in the manner known to law.

8. Accordingly, this Criminal Original Petition is dismissed.

**04.06.2024**

Index : Yes/No  
Speaking/Non speaking  
gv

To

1. Inspector of Police,  
Peranamallur Police Station,  
Thiruvannamalai  
Cr.No.143 of 2024

2. The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**Dr.G.JAYACHANDRAN., J.**

Gv

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