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Crl.O.P.No.18924 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

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

Crl.O.P.No.18924 of 2024

M.Tamilarasan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Ranipet

2.The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
(Crime no.124 of 2023)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the 2nd respondent to alter the FIR by include all the offences and make an enquiry and file additional fresh FIR and file final report in Crime No.124 of 2023 on the file of the 2nd respondent.

For Petitioner : Ms.A.B.Fathima Sulthana

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioner herein is the defacto complainant. The present petition is filed seeking direction to alter the charge in Crime No.124 of 2023 from Section 324 IPC to 307 IPC.



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2. On perusal of the record, this Court finds that the defacto

complainant has sustained fracture injury of left ulna and ORIF fixed.

The investigation is yet to complete. Therefore, it is necessary to direct the Investigating Officer to alter the charge from Section 324 IPC to 307 IPC. At this juncture, it is open to the Investigating Officer to collect the material in the course of investigation and find whether the commission of offence attracts Section 324 IPC or 307 IPC and take decision based on the material collected and file the final report. Once the final report is filed, it is always open to the Judicial Magistrate to take the complaint on file and consider the charges to be framed.

3. With the above observation, this Criminal Original Petition is disposed of.

08.08.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Ranipet

2.The Inspector of Police,



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Rathinagiri Police Station,
Ranipet District.

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

Dr.G.JAYACHANDRAN,J.



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