



CrI.O.P.No.18232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

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

CrI.O.P.No.18232 of 2024

Jayakandan

... Petitioner

Vs.

The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
Crime No.263 of 2024

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C.,
pleased to direct further investigation in connection with Crime No.263
of 2024 on the file of the respondent police and include to all the offences
committed by the accused stated in the competent authority.

For Petitioner : Mr.G.P.Sivakumar

For Respondent : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition is filed for further investigation of
the case in Crime No.263 of 2024 dated 20.04.2024. The petitioner herein
is the complainant in the said FIR. He had sustained Zone 2 Flexor



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laceration in the right 4th finger, hence case has been registered for the offence under Section 294(b), 324, 506(2) IPC and Section 4 of TNPHW Act.

2. According to the petitioner, he was attacked by the accused persons with an intention to cause death and therefore, police ought to have altered the charge of Section 324 to 307 IPC, but they have not altered the charge and therefore, there must be further investigation.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that the medical history of the injured persons both Jayakandan and his brother obtained in the course of investigation and found that the seat of injury, nature of weapon used and the injury caused does not attract the ingredient required for the charge under Section 307 IPC. In any event, the doctor who has given discharge summary not yet been enquired. Based on the opinion of the doctor, necessary decision will be taken regarding the charges to be framed.

4. This Court perused the discharge summary and ascertained



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the nature of injury from the FIR, the statements and the weapon used to cause the said injury. Further, it is also brought to the notice that the counter complaint been given against this petitioner and his family members and the same is also under investigation. In the said circumstances, it is appropriate to direct the Investigating Officer to investigate both the complaints and file final report by following Police Station Order 566.

5. With the above said direction, this Criminal Original Petition is disposed of.

30.08.2024

Neutral Citation : Yes/No
rpl

To

1.The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.

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

Dr.G.JAYACHANDRAN,J.

rpl



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