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CrI.O.P.No.23005 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.23005 of 2024

and

CrI.M.P.No.17967 of 2024

... Petitioner

M.Karthikeyan

Vs.

State represented by
The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of the final report in S.C.No.39 of 2021 in Crime No.196 of 2014 on the file of the Principal Subordinate Court, Dharmapuri and set aside the same and consequently direct the respondent to conduct further investigation in the case in Crime No.196 of 2014 dated 18.03.2014 and file a final report in accordance with law.

For Petitioner : Mr.V.Balamurugan

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER



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This Criminal Original Petition has been filed to call for the records of the final report in S.C.No.39 of 2021 in Crime No.196 of 2014 on the file of the Principal Subordinate Court, Dharmapuri and set aside the same and consequently direct the respondent police to conduct further investigation in the case in Crime No.196 of 2014 dated 18.03.2014 and file a final report in accordance with law.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent police and perused the materials available on record.

3. The learned counsel for the petitioner submitted that based on the petitioner's complaint, a case in Crime No.196 of 2014 has been registered as against the accused person for the offence under Sections 294(b), 447, 501(i), 379 (NP) IPC. Though offence under Section 379 IPC has been mentioned in the F.I.R, the same has been omitted in the final report, by the respondent police. Hence, he filed this criminal original petition.



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4. F.I.R is not an encyclopaedia. After completion of investigation, the investigating officer can file a charge sheet based on the materials collected during the investigation. It is not necessary that the charge sheet should be the replica of F.I.R. The trial court has the power either for giving direction for further investigation or if sufficient materials are available, it can invoke Section 319 Cr.P.C.,

5. In view of the same, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

18.12.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.
2. The Public Prosecutor,
High Court, Chennai.
3. The Principal Subordinate Court,
Dharmapuri



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P.VELMURUGAN, J.

mfa

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