

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

WP(C).No.4099 of 2015 (J)

PETITIONER:

**VARGHESE,S/O.AUGUSTHY,PUNNACKA HOUSE,
ANAPPARA P.O.,ERNAKULAM DISTRICT.**

BY ADV.SRI.PAULACHAN PUTHUPPARA

RESPONDENT'S:

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF HOME AFFAIRS,SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. DIRECTOR GENERAL OF POLICE,
KERALA POLICE,THIRUVANANTHAPURAM - 695 001.**
- 3. THE SUPRT. OF POLICE (RURAL),ALUVA,PIN - 683 101.**
- 4. THE CIRCLE INSPECTOR OF POLICE,
KALADY POLICE STATION,PIN - 683 574.**
- 5. SUB INSPECTOR OF POLICE,
KALADY POLICE STATION,
KALADY P.O,PIN - 683 574.**

R1-R5 BY GOVT. PLEADER SRI.DHANESH MATHEW MANJOORAN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.4099 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS:

- P1 - A TRUE PHOTO COPY OF THE FIR DT. 20.6.12.**
- P2 - A TRUE PHOTO COPY OF THE STATEMENT GIVEN BY THE PETITIONER'S SON BAIJU DT. 20.06.12.**
- P3 - A TRUE PHOTO COPY OF THE POST MORTEM REPORT DT. 21.6.12.**
- P4 - A TRUE PHOTO COPY OF THE PETITION FILED BEFORE THE RURAL SP ALUVA DT. 10.7.13.**

RESPONDENT'S ANNEXURES:

**ANNEX R4(a):A TRUE COPY OF THE REPORT OF THE FORENSIC
SCIENCE LABORATORY DATED 30.11.2012.**

ANNEX R4(b):A TRUE COPY OF THE POST-MORTEM REPORT DATED 21.6.2012.

//TRUE COPY//

P.S. TO JUDGE

pk

K. ABRAHAM MATHEW, J.

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W.P. (C)No. of 4099 of 2015

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Dated this the 1st day of June, 2015

J U D G M E N T

The petitioner is the husband of deceased Thressiamma. She was found dead in a property near her house at 8.45 p.m. The postmortem certificate revealed that she died due to the injury noticed on her head. The investigation disclosed that a branch of a tree fell on her when she attempted to take it off and she sustained injuries on her head. Now the petitioner submits that she had some financial transactions with some persons and they might have killed her. The prayer is to order a special investigation team to investigate into her death.

2. Heard.

3. A perusal of the case diary maintained by the Investigating Officer shows that immediately after the occurrence, the petitioner and his son reached the place of occurrence. They found a branch of a tree near the dead body of Thressiamma. There was no complaint that she was killed by anyone or that she died in suspicious circumstances. I have gone through the case diary and the materials produced by the petitioner. The

petitioner's case is that someone had borrowed money from his wife and they might have killed her. But the name of even a single person who allegedly borrowed money from her is disclosed. There is no reason for it. The suspicion of the petitioner is without any basis. The prayer for setting up a special investigation team cannot be granted.

In the result, this petition is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge