

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

W.P.(C).No. 24660 of 2015 (F)

PETITIONER:

**SAIBUNISA, AGED 45 YEARS,
D/O. FATHIMA BEEVI, RAINBOW, PANIKKARKONAM,
MANALIMUKKU, VENJARAMOODU P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI. SHAJIN S.HAMEED

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM – 695 001.**
- 2. THE DIRECTOR GENERAL OF POLICE, KERALA,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM - 695 001.**
- 3. THE DETECTIVE INSPECTOR,
CRIME BRANCH, CBCID, THIRUVANANTHAPURAM - 695 001.**
- 4. THE CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS DIRECTOR, PLOT No.5-B, CGO COMPLEX,
LODHI ROAD, NEW DELHI - 110 003.**

**R1-R3 BY ADV. SRI. P. VIJAYARAGHAVA, STATE ATTORNEY
R4 BY SRI. P.CHANDRASEKHARAN PILLAI, SC, C.B.I.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04-09-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: CERTIFIED COPY OF THE FIR IN CRIME NO. 792/2005 OF MANGALAPURAM POLICE STATION
- EXT.P2: PHOTOCOPY OF THE REFER CHARGE SUBMITTED THE 3RD RESPONDENT BEFORE THE SUB DIVISIONAL MAGISTRATE COURT, THIRUVANANTHAPURAM.
- EXT.P3: PHOTOCOPY OF THE INQUEST REPORT PREPARED BY THE SUB DIVISIONAL MAGISTRATE COURT, THIRUVANANTHAPURAM DATED 10/11/2015.
- EXT.P4: PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P5: PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

B. KEMAL PASHA, J.

W.P.(C). No. 24660 of 2015

Dated this the 4th day of September, 2015

JUDGMENT

The matter relates to the suspicious death of the husband of the petitioner. It seems that he was found dead in suspicious circumstances. There were a series of injuries all over his body. Over and above it, a trouser was found tied around his neck. A bathing towel was also tied around his neck. There were injuries on his head also. The explanation offered by the present Investigating Officer with regard to the injuries found on the body of the deceased, is not palatable.

2. At the same time, it seems from the postmortem certificate and the chemical analysis report that the presence of Carbofuran was there in the internal organs and the same was the cause of death. The question as to

whether poisonous substance was induced or not is a question to be decided through a proper investigation.

3. On going through the present investigation, this Court is of the view that a further investigation is required in the matter. A further investigation shall be carried out by the DySP, Crime Branch, HSW-1, Thiruvananthapuram under the strict supervision of the Superintendent of Police, Crime Branch. Such a further investigation shall be carried out and completed within a period of six months from today.

With the aforesaid observations, this writ petition is closed.

Sd/-
B. KEMAL PASHA,
JUDGE