

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.06.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.11184 of 2015

A.Moideen

.. Petitioner

Vs

1.State rep. By
The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram District.

2.The Assistant Commissioner of Police,
Madipakkam Range,
Madipakkam.

3.The Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482
Cr.P.C., to issue a direction to further investigation in Crime
No.70 of 2014 on the file of the third respondent police.

For Petitioner :Mr.M.K.Bhoopathy Rajan

For Respondents :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the third respondent to further
investigate the case in Crime No.70 of 2014, the petitioner is
before this Court with this petition.

2.Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the respondents.

3.Today, Mr.R.Lekshminarayanan, Assistant Commissioner of
Police, Madipakkam Range, Greater Chennai Police, Chennai City,
filed a status report wherein, in paragraph Nos.9 & 10, it is
stated as follows:-

"9.I submit that the consultant
Psychiatrist Dr.Karthick and consultant
Psychologist Dr.Devaraj of Ever Green Care

Centre were not summoned to give treatment nor counselling to Mohammed Rahim by the care centre authorities. Hence, it is abundantly clear that the negligence and carelessness on the part of the accused 1) Alexander, A/27, S/o Periyannayagaswamy, 2) Arivindaraj, A/32, S/o Ramapackiyam. 3) Simon Prabhu,, A/34 S/p Eramaiyah, 4) Komagan Kumar, A/41 S/o Sukumaran (All trustees of M/s Ever Green De-Addiction and Rehabilitation, Sithalapakkam) was the reason for the death of Mohammed Rahim. Since timely medical treatment could have saved Mohammed Rahim. Hence, the section of the case from 174 Cr.P.C., to 304 I.P.C., and necessary report has also been sent to the Hon'ble Judicial Magistrate, Alandur Court.

10.I submit that on the transfer of Tr.N.Kumar, then Asst. Commissioner of Police, Madipakkam Range, to Pattabiram Range. I have taken up the investigation and necessary steps to charge the case under section 304 I.P.C., before the trial Court of Hon'ble Judicial Magistrate, Alandur, Chennai - 16."

4.In view of the above, no further direction is required to be given to the respondent police. Hence, the Criminal Original Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

सत्यमेव जयते

jbm

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram District.

2.The Assistant Commissioner of Police,
Madipakkam Range,
Madipakkam.

3.The Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.M.K.Boopathy Rajan , Advocate Sr.No.30604

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pmk.2.7.2015



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