

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.19038 and 19647 of 2015

Parvatha Varthini

... Petitioner
in both Crl.OPs

Vs

1.The Inspector of Police,
Thirukoilur PS, Thirukoilur,
Villupuram District.

2.The Director General of Police,
Chennai-5.

3.Dharani Finance
Sakthi Finance,
North Street,
Tirukoilur, Villupuram District.

4.Kannappan
5.Bhoopathi

... Respondents
in both Crl.OPs

Prayer in Crl.OP.No.19038 of 2015 : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st respondent to investigate the complaint of the petitioner dated 16.07.2015 lodged before the Director General of Police, Chennai in accordance with law.

Prayer in Crl.OP.No.19647 of 2015 : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st respondent to investigate the cause of death of the petitioner's son Sathyaraj who died in the shop on 09.02.2012 which was registered as Crime No.58 of 2013 dated 09.02.2013 u/s 174 Cr.P.C. as suicidal death, to investigate the actual cause of death of the petitioner's son Sathyaraj, thereby to file a final report.

For Petitioner : Mr.C.V.Kumar
in both Crl.OPs

For Respondents : Mr.C.Emalias, APP [for R1, R2]
in both Crl.OPs

C O M M O N O R D E R

Crl.OP.No.19038 of 2015 has been filed to direct the 1st respondent to investigate the complaint of the petitioner dated 16.07.2015 and Crl.OP.No.19647 of 2015 has been filed to direct the 1st respondent to file a final report in Crime No.58 of 2013.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor for the respondents 1 and 2 and perused the materials placed on record.

3. Today, Mr.T.Mohan, Inspector of Police, Tirukoilur Police Station, Villupuram District is present.

4. Learned Additional Public Prosecutor on instructions, submitted that investigation in Crime No.58 of 2013 has been completed and the Closure Report has been filed stating action dropped before the Tahsildar, Tirukoilur.

5. The petitioner, whose son had died, is challenging the investigation. Under such circumstances, the Tahsildar, Tirukoilur is directed to forward the Closure Report and connected papers to the Court of the Judicial Magistrate-I, Tirukoilur. A copy of the Closure Report shall be furnished to the petitioner by the respondent police within two weeks, from the date of receipt of a copy of this order.

6. In view of the above, this petition is closed, with liberty to the petitioner to file a protest application before the learned Judicial Magistrate-I, Tirukoilur and on such protest application being filed, the learned Magistrate is directed to consider the same, following the law laid down by the Hon'ble Supreme Court in Vinay Tyagi Vs Irshad Ali reported in 2013 [5] SCC 762.

Sd/-

सत्यमेव जयते

Asst.Registrar (CS IV)

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Sub Asst. Registrar

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To

1.The Judicial Magistrate-I,
Tirukoilur.

2.The Tahsildar,
Tirukoilur.

3.The Inspector of Police,
Thirukoilur PS, Thirukoilur,
Villupuram District.

4.The Director General of Police,
Chennai-5.

5.The Public Prosecutor,
High Court, Madras.

+1 cc to MR.A.Chandrasekar,Advocate, sr.48962

CRL.OP.No.19038 and 19647 of 2015

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