

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.22038 of 2016

V.J.Joy

...Petitioner

Vs.

1. The State of Tamilnadu
Rep. by the Inspector of Police
Soolur Police Station
Coimbatore District.
2. The Tahsildar
Soolur Taluk,
Coimbatore District.
3. The Commissioner of Police
Thirussur City
Kerala - 680 001.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondents to inquire into the complaint in FIR No.901 of 2015, file a final report within the time stipulated.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to direct the respondents to inquire into the complaint in FIR No.901 of 2015, file a final report within the time stipulated.

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

3. Pursuant to the death of one Jineesh Joy on 21.12.2015, a student studying Diploma in RVS Polytechnic College, Coimbatore, the police registered a case in Crime No.901 of 2015, on the complainant of his father Joy, under Section 174 Cr.P.C. Not satisfied with the progress in investigation, the complainant has filed the present petition for a direction to the respondent police to complete the investigation in a time bound manner.

4. Today, Mr.V.Jayachandran, Inspector of Police, Sulur Police Station, Coimbatore District is present and submitted the status report wherein, it is stated as follows:-

"It is submitted that the gist of the case is as follows:-

The case of the prosecution is that the de-facto complainant / petitioner Tr.V.J.Joy has stated that the petitioner's second son namely Jinesh (deceased) was studying in RVS Polytechnic College at Coimbatore in second year diploma in mechanical course. The deceased Jinesh was staying in a rented house along with his friends, namely, Mr.Amarjith, Mr.Vishnu, Mr.Lavion and Mr.Jeslin Vallachira. While so, on 20.12.2015, at about 16.45 hours the complainant / petitioner had received a phone call from Amarjit who is room-mate of the deceased, stated that the petitioner's son Jinesh sustain the electric shock while using the water heater and is being taken to Kovai Medical Centre and Hospital Limited. Immediately, the petitioner went to the Hospital, at that time the doctor declared that the petitioner's son Jinesh died brought to the Hospital. Thereafter, the petitioner enquired the deceased's friends, they had informed that the petitioner's son has taken the water heater (Emerson rod) in the hand; he had sustained shock and fell down unconscious. Hence the complainant lodged a complaint before the respondent police station.

It is submitted that the Special Sub Inspector of Police has examined the following witnesses, namely,

- 1) Tr.Joy - Complainant / father of the deceased,
- 2) Tr.Saimon - relative of the deceased,
- 3) Tr.C.J.Johnson - relative of the deceased,
- 4) Tr.Lyjo P.J. - relative of the deceased,

- 5) Tr.Sunny - neighbour of the deceased,
- 6) Tr.Chinnadurai - Professor of RVS College / who is written the complaint in Tamil,
- 7) Tr.Amarjith - room-mate / friend of the deceased,
- 8) Tr.Vishnu - room-mate / friend of the deceased,
- 9) Tr.Lavis Prince - room-mate / friend of the deceased and recorded their statements, they were corroborated the same version of the complaint.

It is submitted that after completion of post mortem, the dead body of the deceased was handed over to the petitioner / defacto complainant on 21.12.2015 at 16.00 hours.

It is submitted that the petitioner himself was present when the inquest was held and the body was sent for post mortem examination and hence the petitioner was well aware of the facts that his son Jinesh died on electric burns while handling the water heater. The alleged complaint of the petitioner to the City Police at Kochi dated 2.2.2016 and 22.04.2016 are not available for the 1st respondent and hence he is not aware of both these petitioners.

It is submitted that after completion of thorough and detailed investigation, based on the statements of the witnesses and Medical Reports, the case was referred as "FURTHER ACTION DROPPED" by Tr.Dhinakaran, Special Sub Inspector of Police on 12.02.2016 and the same was submitted before the Tahsildar, Sulur, Coimbatore on the day i.e. 12.2.2016.
"

Accepting the aforesaid submissions, this petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
Soolur Police Station
Coimbatore District.
2. The Tahsildar
Soolur Taluk,
Coimbatore District.
3. The Commissioner of Police
Thirussur City
Kerala - 680 001.

+1cc to Mr.M.Devaraj, Advocate, S.R.No.69483

Crl.O.P.No.22038 of 2016

PK(CO)
MA(29/12/2016)



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