



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.10405 of 2017

M.Easwari

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to add 3 left out culprits viz., Veluasamy, Vijayakumar and Nandhini as accused in the First Information Report in Crime No.367 of 2017 and further direct the first respondent to monitor the future investigation as to ensure fair and proper investigation be done in this case.

For Petitioner	: Mr.J.Praveen
For Respondents	: Mr.K.Anbarasan, Government Advocate(Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the second respondent to add 3 left out culprits viz., Veluasamy, Vijayakumar and Nandhini as accused in the First Information Report in Crime No.367 of 2017 and further to direct the first respondent to monitor the future investigation so as to ensure fair and proper investigation being done in this case.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents.

3. Based on the statement of the petitioner, a criminal case was registered in Crime No.67 of 2017 for the offence under Sections 294(b), 323, 506(ii) of I.P.C., and Section 4 of TNPWH Act. In the information that was furnished by the petitioner on 18.06.2017, the petitioner mentioned the names of two accused. However,



subsequently, she sent a representation to the Superintendent of Police, stating that three other persons also attacked her and that a statement was surreptitiously obtained when the petitioner was in hospital.

4. The contention of the petitioner cannot be believed having regard to the fact that the petitioner is literate and she put her signature in the statement given to the police, on 18.06.2017.

5. Secondly, except the statement of the petitioner, there is no material forthcoming. The petitioner herself admitted that there was no other person witnessed, when the petitioner was assaulted.

6. In such circumstances, based on mere *ipse dixit* of the petitioner, this Court is of the view that the respondent police cannot be embarrassed or put to unnecessary trouble at the instigation of the person who has not given any explanation for her statement which was given by her on 18.06.2017. In such circumstances, the Criminal Original petition is dismissed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Thoothukudi District.

2. The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

PMU
JS/KP/SAR.1/31.08.2017/2P-4C

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