

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18216 of 2018

Venkatesan

... Petitioner/Son of Deceased

Vs

1.The Superintendent of Police
Villupuram District.

2.The Inspector of Police
Valathy Police Station
Villupuram District.

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the respondents to do further investigation in Crime No.126 of 2018 on the file of the second respondent.

For Petitioner : Mr.R.Arundattan

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents to do further investigation in Crime No.126 of 2018 on the file of the second respondent.

2. On the complaint lodged by one Sarojini, the respondent police have registered a case in Crime No.126 of 2018 on 23.03.2018 for the offences under Sections 294-B, 323 and 302 IPC against one Pachaiyappan.

3. On a reading of the FIR, it is alleged by Sarojini, that she along with her father-in-law Rajendran were working in the field on 22.03.2018; that her father-in-law was drawing water from the well, during which time, a quarrel ensued between her father-in-law and his brother Pachaiyappan, in which, Pachaiyappan is said to have assaulted Rajendran and pushed him into the well. Hence, the complaint and FIR.

4. Now, Venkatesan, the husband of Sarojini and son of the deceased Rajendran has filed the present petition alleging that two other persons were also involved in the offences.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

6. On a reading of the FIR, it is seen that Sarojini, who was a eye-witness to the occurrence, has not implicated any one else. She has clearly stated that Pachaiyappan and Rajendran had a quarrel, in which Pachaiyappan assaulted Rajendran and pushed him into the well.

7. In such view of the matter, no direction as prayed for by the petitioner can be granted. However, during the course of investigation, if the police finds that some other persons are also involved in this case, it is needless to state that they can also be included in the prosecution.

With the above direction, this petition is closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police
Villupuram District.

2. The Inspector of Police
Valathy Police Station
Villupuram District.

3. The Public Prosecutor
High Court, Madras.

+1 CC to Mr. R. Arun Dattan, Advocate sr 48164.

Crl.OP.No.18216 of 2018

SP(31/07/2018)