

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

CORAM

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

CRL.O.P.No.17429 of 2013

S.Lakshi Ammal

.. Petitioner

Vs

1.The State Rep. by,
The Inspector of Police,
Udumalpet Police Station,
Udumalpet,
Tiruppur District.

2.The Deputy Superintendent of Police,
Udumalpet Division,
Udumalpet,
Tiruppur District.

3.The Deputy Superintendent of Police,
(CBCID),
O/o.The Deputy Superintendent of
Police, (CBCID),
Tiruppur,
Tiruppur District.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to withdraw the complaint dated 24.07.1999 on the file of the 2nd respondent and transfer the same to the 3rd respondent and direct the 3rd respondent to investigate the same.

For Petitioner : M/s.Tamizh Law Firm

For Respondents : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

ORDER

The petitioner is the mother of the deceased Manoharan, who died on 30.06.1999. According to the petitioner, her son Manoharan was residing with his wife at Udumalpet and the petitioner suddenly received an information from the family members of her daughter-in-law that her son died on 30.06.1999.

2.The specific contention of the petitioner is that since she had suspicion over the death of her son, she lodged a

complaint with the first respondent on 24.07.1999 and also filed Crl.O.P. No.3845 of 2005 before this Court seeking for a direction to register FIR.

3.It is the contention of the petitioner that Crl.O.P. No.3845 of 2005 was allowed with a direction to the Superintendent of Police, Coimbatore to look into the matter and to conduct the investigation in accordance with law. According to the petitioner, the investigation is not conducted properly by the Police Officer.

4.Per contra, the learned Government Advocate (Crl. Side) appearing for the respondents contented that the deceased Manoharan got married to one Thilagavathi, who is working as Lecturer at Udumalpet and both of them are blessed with a female child. His further contention is that the deceased Manoharan joined the Government Polytechnic College at Madurai and used to visit his wife during week ends. According to him, the deceased Manoharan was addicted to alcohol and due to sudden cardiac arrest, he died and that the investigation has been done properly and in accordance with law.

5.The learned counsel appearing for the petitioner contended that the body of the deceased was cremated in the year 1999 and no post-mortem was done.

6.A perusal of the records shows that the petitioner herein had lodged the complaint only on 24.07.1999 i.e., after a lapse of one month from the date of death of her son Manoharan. Apart from this, on the directions issued by this Court, the Investigating Officer had also conducted the investigation and had concluded that the death of Manoharan was only a natural death. A perusal of the affidavit filed by the petitioner shows that no allegations are made against any persons. The learned counsel for the petitioner also would contend that the petitioner is not suspecting any one and that it is for the police to find out the truth.

7.In the facts and circumstances, I do not find any reason to allow this petition. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Deputy Registrar

//True copy//

Sub Assistant Registrar

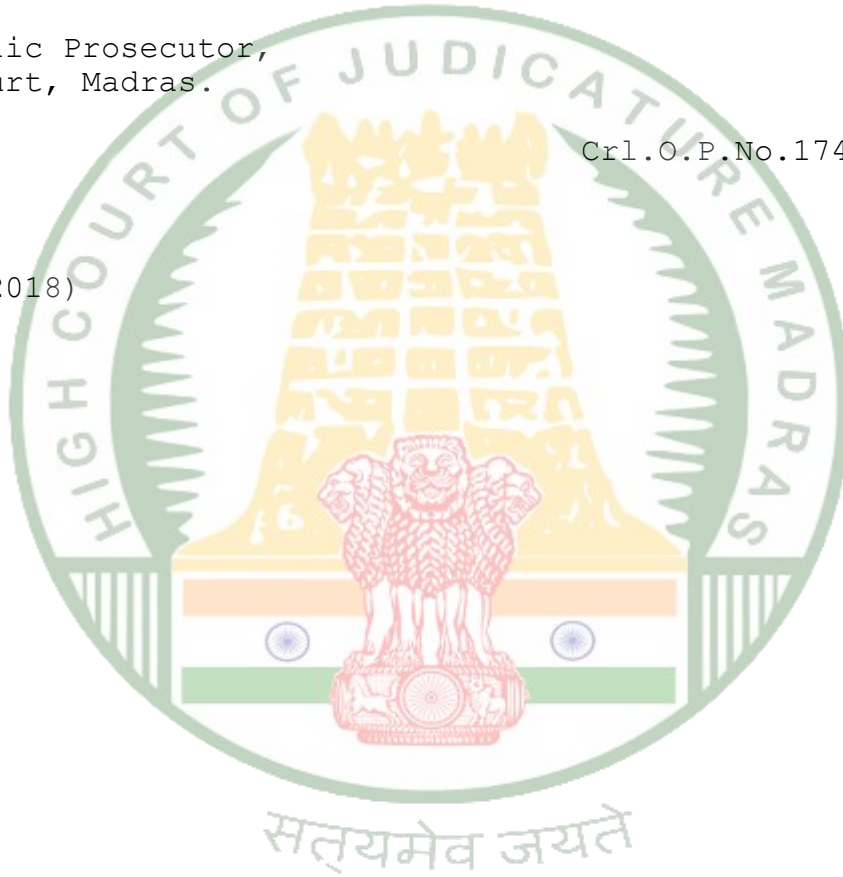
ia

To

- 1.The Deputy Superintendent of Police,
udumalpet, Tripur.
- 2.The Deputy Superintendent of Police(CBCID),
Tiruppur.
- 3.The Inspector of Police,
Udumalpet Police Station,
Udumalpet.
- 4.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.17429 of 2013

GN(18/07/2018)



WEB COPY