

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED 03.10.2018

CORAM  
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23211 of 2018

V.Jayaraman

.. Petitioner

Vs

1.State rep. by

The Inspector of Police,  
S-14 Peerkankaranai Police Station,  
Tambaram.

2.The Assistant Commissioner of Police,  
St. Thomas Mount, Chennai-16.

3.The Commissioner of Police,  
Greater Chennai,  
Vepery, Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,  
praying to direct the respondent police to reopen the case in  
Crime No.208 of 2018 on the file of the first respondent Police  
Station and conduct reinvestigation in the matter to find out  
the real culprit and book him on charges of murder.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.C.Raghavan, GA

O R D E R

This Criminal Original Petition has been filed to direct the  
respondent police to reopen the case in Crime No.208 of 2018 on  
the file of the 1<sup>st</sup> respondent police to reinvestigate the  
matter.

2.Heard the learned counsel appearing for the petitioner and  
the learned Government Advocate appearing for the respondents.

3.A tragic incident took place in which, a 10<sup>th</sup> standard boy  
by name, Gowtham died by drowning in a well. Pursuant to which,  
on the complaint given by the petitioner herein, father of  
Gowtham, the respondent Police have registered a case in Crime  
No.208 of 2018 on 19.03.2018 under Section 174 Cr.P.C. Not  
satisfied with the progress of investigation, this petition has  
been filed.

4.Today, Ms.J.Sheela, WHC 35681, S-14 Peerankaranai Police Station is present before this Court.

5.This Court thoroughly perused the Case Diary. It appears that the deceased Gowtham, Yogeshkumar and Madankumar were good friends and were studying in 10<sup>th</sup> standard; on 21.03.2018, they were to take up the Board Examination for Tamil-II paper; so all of the three were doing combined studies; they wanted a Tamil book from another friend by name, Navish and therefore, they all went in the Scooty of Yogeshkumar to Navish's house; Navish told them that he needs the book for his studies, but however, permitted them to take photocopy of the book; the three friends collected the book and came to the main road to the photocopy shop; en route, Gowtham wanted to ease himself and therefore, he went to a secluded spot leaving the friends waiting nearby; after sometime, the three friends heard noise and went towards that direction; they found Gowtham struggling in a nearby well; seeing that, Yogeshkumar and Naveenkumar jumped into the well to save Gowtham; since they themselves did not know swimming, they were not able to save him; however, Madankumar went to a nearby place and brought an elderly person, who also stated that he does not know to swim; ultimately, Gowtham drowned and a case has been registered as stated above.

6.On a perusal of the Postmortem Report, it is clearly stated that there was no any external injury on Gowtham and that, he died of drowning. The photograph of the well shows that its a big well with substantial water. The statement of the witnesses also corroborate the version of the friends. This Court does not find any suspicious circumstances in the death of Gowtham. Hence, this petition is devoid of merits and dismissed.

Sd/-  
Assistant Registrar(CO)

//True Copy// सत्यमेव जयते  
Sub Assistant Registrar

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To

- 1.The Inspector of Police,  
S-14 Peerankaranai Police Station,  
Tambaram.
- 2.The Assistant Commissioner of Police,  
St. Thomas Mount,  
Chennai-16.

3.The Commissioner of Police,  
Greater Chennai,  
Vepery, Chennai.

4.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.S.Sukumar, Advocate, S.R.No.68120

CRL.OP.No.23211 of 2018

KAN (CO)

rrs 26/10/2018



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