



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1 OP(MD)No.3157 of 2016

Abdul Kafoor

... Petitioner

Vs.

1.State represented by
The Commissioner of Police,
Commissioner Office,
Madurai -1.

2.The Inspector of Police,
(Law and Order),
Anna Nagar Police Station,
Madurai -20.

...Respondents

PRAYER:- Civil Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register a criminal case of suspicious death under Sections 174 of Criminal Procedure Code and exhume the body and perform an autopsy, as per the complaint given by the petitioner dated 18.10.2015.

For Petitioner : Mr.M.Mohamed Rafi
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate.

ORDER

This petition has been filed for a direction to the second respondent to register a criminal case of suspicious death under Sections 174 of Criminal Procedure Code and exhume the body and perform an autopsy, as per the complaint given by the petitioner dated 18.10.2015.

2.The learned Government Advocate would submit that the complaint was enquired by the respondent Police and it was closed on 03.03.2016.

3.The learned Counsel for the petitioner would submit that the respondent Police did not even register a complaint under Section 174 of CrPC, since the death itself was caused under suspicious circumstances.



by this Court, because it is almost three years since the body of the deceased was buried. At this point of time, it will be a futile exercise.

5. In view of passage of time and in view of the fact that the complaint has been closed by the respondent Police on 03.03.2016, no further orders can be passed by this Court.

6. In the result, the criminal original petition is dismissed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The Commissioner of Police,
Commissioner Office,
Madurai -1.
2. The Inspector of Police,
(Law and Order),
Anna Nagar Police Station,
Madurai -20.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.M.MOHAMED RAFI, Advocate SR. NO.83984

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