



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

WEB COPY

W.P.(MD)No.13544 of 2019

and

W.M.P.(MD)Nos.10086 & 10087 of 2019

Vellaiyammal

... Petitioner

Vs.

1.The Superintendent of Police

O/o. Superintendent of Police,
Ramanathapuram District,
Ramanathapuram

2.The Inspector of Police

Devipattinam Police Station,
Ramanathapuram District

3.The Inspector of Police

Crime Branch Crime Investigation Department (CBCID),
CBCID Ramanathapuram Wing,
Ramanathapuram,
Ramanathapuram District

4.The Director

Medical and Rural Health Services (DMS),
No.359, Anna Salai, Teynampet,
Chennai - 600 006

5.The Chief Medical Officer,

Government Hospital Headquarters,
Ramanathapuram,
Ramanathapuram District

6.The Dean,

Government Medical College Hospital,
Sivagangai,
Sivagangai District.

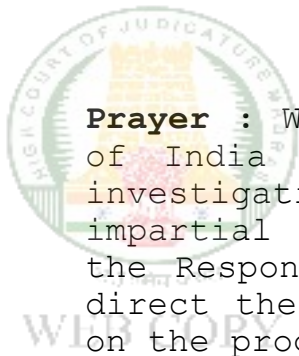
7.The Tahsildar

Thasildar Office,
Ramanathapuram

8. Dr.Kannagi

Senior Civil Surgeon,
Government Hospital Head Quarters,
Ramanathapuram District.

... Respondents



Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to transfer the investigation to the 3rd respondent office for conducting fair and impartial investigation in Crime Number 62 of 2019 on the file of the Respondent No.2 for a fair and impartial investigation and to direct the 3rd respondent to file periodic reporting to this Court on the progress made in the investigation.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

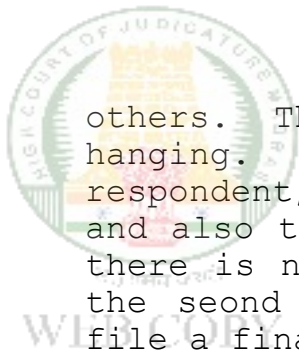
The prayer sought for in the present writ petition is to transfer the investigation to the 3rd respondent office for conducting fair and impartial investigation in Crime Number 62 of 2019 on the file of the Respondent No.2 for a fair and impartial investigation.

2.The allegation in the complaint is that the petitioner is the mother of the deceased and her son was married with one Thenmozhi on 15.11.2012 and thereafter, he residing in the house of his wife/Thenmozhi. On 22.05.2019, the petitioner was informed by her relative that her son committed suicide himself by hanging and the death of the deceased was suspicious one. Based on the complaint given by the petitioner, a case was registered in Crime No.62 of 2019 for the offence under Section 174 of Cr.P.C.

3.The learned Additional Public Prosecutor has filed a status report submitted that on investigation, they have found that the deceased got married with one Thenmozhi and they had no child, out of which, the deceased used to alcohol frequently and also borrowed money from others. Therefore, he himself culminated and committed suicide himself by hanging in the house of his wife. In the post mortem report also reveals that no external injuries were found on the body of the deceased. Further, he submitted that they examined 10 witnesses and found that no suspicion in the death of the deceased and they completed the investigation and yet to file a final report. He further submitted that report of the forensic science laboratory reveals that no suspicion on the death of the petitioner's son.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

5.It is seen that the son of the petitioner got married with Thenmozhi and thereafter, even till the death of the petitioner's son, no issue between them. Thereafter, the deceased used to consume alcohol very often and also he borrowed huge amount from



others. Therefore, he himself culminated and committed suicide from hanging. It is seen from the status report filed by the second respondent, there is no injuries found on the body of the deceased and also the report of the Forensic Science Laboratory reveals that there is no external injury on the death of the deceased. Further the second respondent has completed the investigation and yet to file a final report.

6. Therefore, this Court is of the view that there is no merit in this petition. However, the second respondent is directed to complete the investigation and file a final report within a period of four weeks from the date of receipt of a copy of this Order. The first respondent is directed to monitor the investigation and ensure that the second respondent shall file final report within the stipulated by this Court.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (AD-I)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Superintendent of Police
O/o. Superintendent of Police,
Ramanathapuram District,
Ramanathapuram
2. The Inspector of Police
Devipattinam Police Station,
Ramanathapuram District
3. The Inspector of Police
Crime Branch Crime Investigation Department (CBCID),
CBCID Ramanathapuram Wing,
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4. The Director
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No.359, Anna Salai,
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5.The Chief Medical Officer,
Government Hospital Headquarters,
Ramanathapuram,
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6.The Dean,
Government Medical College Hospital,
Sivagangai,
Sivagangai District

7.The Tahsildar
Thasildar Office,
Ramanathapuram

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

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-84995[F] dated
04/09/2019)

W.P. (MD) No.13544 of 2019
03.09.2019

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JM/19.09.2019/4P/10C