

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.6367 of 2020

N.Chandrasekaran

... Petitioner

Vs

1.The Superintendent of Police,
Nageripalayam Road,
Angeripalayam
Tiruppur.

2.The Inspector of Police,
District Crime Branch,
Superintendent of Police office Campus,
Tiruppur.

3.The Inspector of Police,
Dharapuram Police Station,
Dharapuram Tiruppur District.

... Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to reopen the investigation in Crime No.193 of 2017 on the file of the third respondent police and order fresh investigation.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to reopen the investigation in Crime No.193 of 2017 on the file of the third respondent police and to order fresh investigation and grant such other reliefs.

2.On 29.05.2015, the petitioner's son was married to one Banubrintha. Due to matrimonial dispute, the said Banubrintha picked up quarrel and fought with her husband Naveen kumar. While so, on 06.04.2017 at about 3. a.m., the petitioner received information and within 5 minutes he reached his son's house and

found him dead and his body was laid on the floor. Thereafter, the petitioner gave a compliant before the third respondent about the death of his son under the suspicious circumstance and the same was registered under Section 174 of Cr.P.C in Crime No.193 of 2017

3.The learned counsel for the petitioner submitted that the respondent police did not properly enquire the reasons surrounding the death of deceased Naveenkumar to find out the guilty person. The scene of occurrence has also not been properly inspected and the material objects and seizure report were prepared only to let Banubrindha spot free. Therefore, the petitioner has filed Crl.O.P.No.21624 of 2017 seeking for transfer of investigation and the same is pending.

4.The learned Additional Public Prosecutor, on instructions, submitted that the investigation has been completed in Crime No.193 of 2017 and the same was closed as "mistake of fact".

5.On perusal of the records, it clearly says that the petitioner's son committed suicide by hanging himself, therefore the third respondent closed the FIR.

6.Considering the above facts and circumstance of this case, a direction is issued to the third respondent to serve the charge sheet in Crime No.193 of 2017 on the file of the third respondent to the petitioner within a period of eight weeks from the date of receipt of copy of the order. On receipt of the same, liberty is granted to the petitioner to file a private complaint before the concerned jurisdiction Magistrate in the manner known to law.

7.With the above direction, this Criminal Original Petition is disposed of.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

tta

To

1.The Superintendent of Police,
Nageripalayam Road,
Angeripalayam
Tiruppur.

2.The Inspector of Police,
District Crime Branch,
Superintendent of Police office Campus,
Tiruppur.

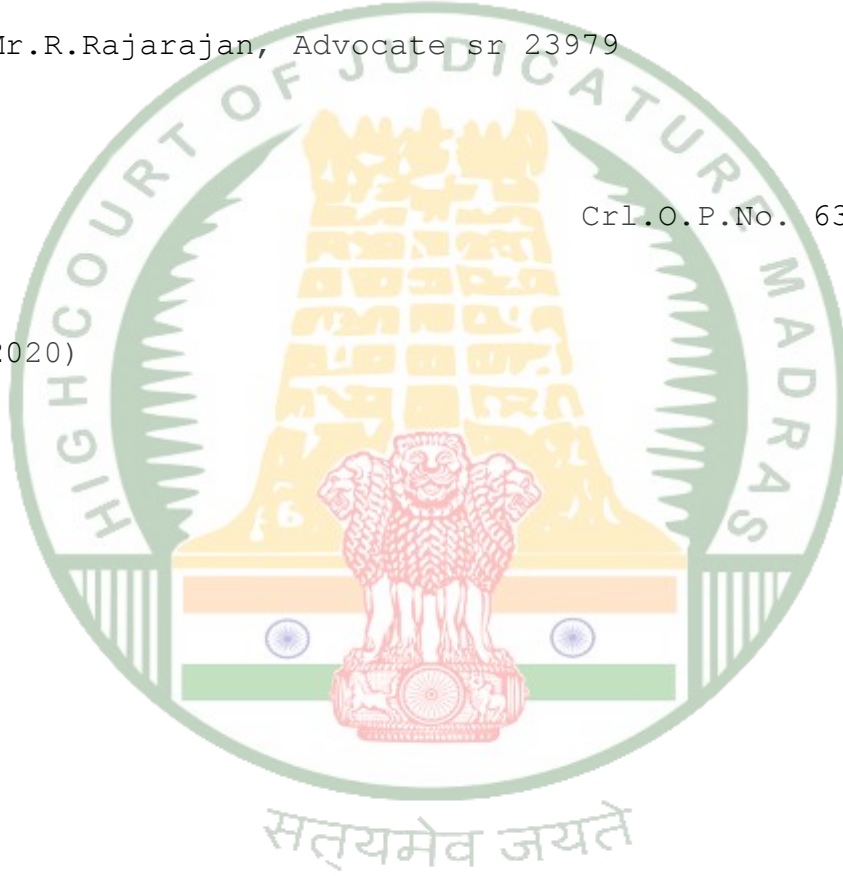
3.The Inspector of Police,
Dharapuram Police Station,
Dharapuram Tiruppur District.

4.The Additional Public Prosecutor,
High Court, Madras.

+1 CC to Mr.R.Rajarajan, Advocate sr 23979

Crl.O.P.No. 6367 of 2020

LN(CO)
SP(17/07/2020)



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