



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2021**

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOAN**

Crl.O.P.(MD)No.8351 of 2021

S.Arul

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.

3.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the third respondent to conduct inquiry under Section 174 of Cr.P.C and file a report.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondents : Mr.R.M.Anbunidhi

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to the third respondent to conduct inquiry under Section 174 of Cr.P.C and file a report.

2.The case of the petitioner is that the deceased and he himself married each other on 15.07.2019 and out of the wedlock, they got a child. On 23.03.2021, the deceased suffered from some burn injuries and she was admitted in Government Hospital, Tirunelveli. The respondent police without recording the statement of the deceased, got the left hand thumb impression and registered a case in Crime No.52 of 2021 for the offence punishable under Section 498(A) and 307 of I.P.C Later, she died



on 02.04.2021. So, the offence was altered into Sections 304(B) and 302 of I.P.C.

3.The grievance of the petitioner is that if the enquiry under Section 174(3) of Cr.P.C., is conducted by the Revenue Divisional Officer, the truth will come out and instead of undertaking such process, the investigation is carried out by the second respondent. Hence, this petition.

4.When the matter came up for hearing, the learned Additional Public Prosecutor for the respondent police submitted that based upon the request made by the Investigating Officer, the Revenue Divisional Officer has conducted an enquiry on 05.04.2021 and totally 14 witnesses have been examined by him so far and the enquiry report is awaited. Since the grievance of the petitioner has been fulfilled, nothing survives for further direction or adjudication.

5.Recording the submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.



3.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

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

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