



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD) No.5002 of 2014

P.Malarkani

... Petitioner

Vs.

1.The Superintendent of Police,
Tuticorin District.

2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Tuticorin District.

3.The Sub-Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing CBI or CBCID or any other competent agency to investigate the case registered in Crime No.618/2012 on the file of the second respondent police for the complaint preferred by the petitioner's husband who died on 20.11.2012 under mysterious circumstances.

For Petitioner : Mr.A.Mohan
For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader.

ORDER

This Writ Petition has been filed seeking Mandamus directing CBI or CBCID or any other competent agency to investigate the case registered in Crime No.618/2012 by the second respondent / The Inspector of Police, Kovilpatti East Police Station, Kovilpatti in Tuticorin District with respect to the death of the husband of the petitioner who died on 20.11.2012.

2. It is the grievance of the petitioner in the Writ Petition that her husband was murdered, but after investigation, it is now represented by Mr.S.Shanmugavel, learned Additional Government Pleader who also filed a counter-affidavit by the second



respondent that the case had been closed as action dropped on 08.01.2013. The said report was also forwarded to the Judicial Magistrate No.2, Kovilpatti.

3. In view of the same, the petitioner has to take further steps only in accordance with law provisions under the Code of Criminal Procedure. I am not here to give any view or opinion on the issue of limitation and would only direct the petitioner to take further steps in accordance with law before the competent Court.

4. With the said observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Lm/Nsr

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,
Tuticorin District.
- 2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Tuticorin District.
- 3.The Sub-Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Tuticorin District.

+1 CC to M/s.SPL GP (SR-35301[F] dated 22/11/2021)

W.P(MD)No.5002 of 2014
19.11.2021

RD(03.12.2021) 2P 5C