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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.13487 of 2022

S. Chinnamani,

...Petitioner

Vs.

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

2. The Dean,
Tiruvannamalai Medical College and Hospital,
Tiruvannamalai.

3. The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to enquire the cause of death of the deceased Sangothi S/o.Pormannan, aged 60 years by conducting postmortem by a team of Doctors and one of the Doctors be petitioner's choice and the postmortem be videographed as per the guidelines of National Human Rights Commission, New Delhi.

For Petitioner : Mr.D.Ashok Kumar

For R1 to R3 : Mr.A.Gokulakrishnan
Addl. Public Prosecutor

O R D E R

The writ petition has been filed to direct the respondents to enquire the cause of death of the deceased Sangothi S/o.Pormannan, aged 60 years by conducting postmortem by a team of Doctors and one of the Doctors be petitioner's choice and the postmortem be videographed as per the guidelines of National Human Rights Commission, New Delhi.



2. The case of the petitioner is that on 24.05.2022 at about 8:00 A.M. one Thonthi and Anandan came to the petitioner's village looking for his father and they personally threatened that they would kill the petitioner's father, if they happened to see him. On the same day evening, at about 3:00 P.M. his father was found lying in Anandan's agricultural field and there are visible external injuries on the head and all over the body. Immediately, a complaint was lodged by the petitioner and a case under Section 174 of the Criminal Procedure Code (unnatural death) was registered in Crime No.212 of 2022.

3. The learned Additional Public Prosecutor submitted that the post-mortem had been conducted as ordered by this Court and gave a copy of the same before this Court.

4. Heard both sides.

5. This Court passed an order dated 26.05.2022 to conduct post-mortem of the deceased Sangothi. As ordered by this Court, post-mortem was conducted by the Senior Assistant Professor and the Assistant Professor of the Tiruvannamalai Medical College Hospital along with a senior most Forensic Expert, Government Medical College, Mundiampakkam, Villupuram and the entire post-mortem was also videographed and the report has also been filed before this Court. On perusal of the report, the experts reserved their opinion. It is for the Investigating Agency to investigate the issue and to take a call based on the post-mortem report and materials unearthed during the investigation. A copy of the post-mortem report is submitted before this Court and after verifying the same it was handed over to the Investigating Officer. The respondents 1 and 3 are directed to send the video recording of post-mortem to the Judicial Magistrate Court, Thandarampet Taluk, Tiruvannamalai District.

6. With the above direction, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

dpq

To

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



2. The Dean,
Tiruvannamalai Medical College and Hospital,
Tiruvannamalai.

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3. The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.

4. The Judicial Magistrate,
Thandarampet Taluk,
Thiruvannamalai District.

5. The Public Prosecutor,
High Court, Madras.

W.P.No.13487 of 2022

SR-II (CO)
UMA (22/06/2022)