



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD). No.15520 of 2020

and

CRL MP(MD)No. 7575 of 2020

Govindhan

....Petitioner / Defacto Complainant

Vs

1. The Superintendent of Police,
Sivagangai District.
2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
3. The Inspector General of Police,
C.B.C.I.D,
Admiralty House,
Chennai

....Respondents

PRAYER :- These Criminal Original Petitions filed under Section 482 Cr.P.C.to issue a direction, directing the 1st respondent to withdraw the case in Cr.No.707 of 2020 on the file of the 2nd respondent and entrust the same to the 3rd respondent herein for investigation of the case by a competent officer and file a final report before the court concerned within the time stipulated by this court.

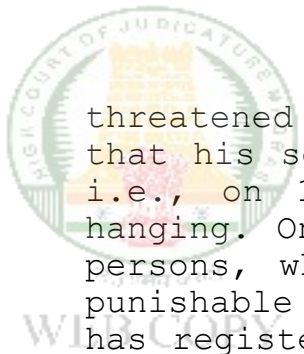
For Petitioner : Mr.S.Vinoth Kumar

For Respondents : Mr. K.Sanjai Gandhi
Government Advocate
(Criminal Side)

ORDER

This petition has been filed to direct the 1st respondent to withdraw the case in Cr.No.707 of 2020 on the file of the 2nd respondent and entrust the same to the 3rd respondent herein for investigation of the case by a competent officer and file a final report.

2. The case of the petitioner is that due to property dispute, the petitioner's son was way laid by the accused persons and



threatened him. Only on 14.11.2020, the petitioner came to know that his son was attacked by the accused person. The very next day i.e., on 15.11.2020, his son was found dead inside the room by hanging. On the said day he lodged a complaint against the accused persons, who committed the crime of abetment of suicide, which is punishable under Section 306 of IPC. The second respondent police has registered a case in Crime No.707 of 2020 under Section 174 of Cr.P.C instead of registering a case under Section 306 of IPC. Till date, the second respondent did not secure the accused persons and file a final report. Hence, the present petition has been filed.

3. The learned Government Advocate (Crl.Side) submitted that investigation in Crime No.707 of 2020 has been completed and Final Report is yet to be filed before the concerned Court.

4.Considering the facts and circumstances of the case, there shall be a direction to the second respondent to file Final Report within a period of eight weeks from the date of receipt of a copy of this order. The petitioner has specifically made allegations against the accused persons that due to their criminal activities alone his son committed suicide. Therefore, the second respondent enquire the accused persons in this aspect also and file a final report.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

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,
Sivagangai District,
2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
3. The Inspector General of Police,
C.B.C.I.D,
Admiralty House,
Chennai
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) . No. 15520 of 2020
and
CRL MP(MD)No.7575 of 2020
Date : 31/03/2022

PKP/11.05.2022/3P/5C