



Crl.O.P(MD)No.17961 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2022

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P(MD)No.17961 of 2022

M.Thangappan

Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Thuckalay Post,
Kanyakumari District.

3.The Inspector of Police,
Railway Police Station,
Nagercoil,
Kanyakumari District.

Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents to conduct further investigation in Crime No.96 of 2013, on the file of the third respondent, based on the evidence and the Forensic report confirms that the blood sample



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taken from the entrance of the temple and the scene of occurrence belong to same blood group and on the basis of the petitioner's complaint dated 21.09.2022.

For Petitioner : Mr.K.Sathiya Singh
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

ORDER

The petitioner, namely, M.Thangappan, aged about 72 years, the father of the deceased Manikandan has filed this application praying for re-investigation with regard to the death of his son, in connection with Crime No.96 of 2013, on the file of the third respondent police.

2.The learned counsel appearing for the petitioner submits that his son, Manikandan had love affair with one Sangeetha belong to the same locality and the same community. During the temple festival on 28.01.2013, his son Manikandan and Sangeetha happened to meet. Their love affair was strongly objected by the parents of Sangeetha. On the next day, i.e, on 29.01.2013, the petitioner received an information as if his son found dead in front



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of the railway track. He has strong suspicious over the family members of Sangeetha. According to the petitioner, his son was murdered by the family members of Sangeetha, who were influenced persons of that locality. Further, on 30.01.2013 at about 10.00 a.m, in the temple compound, they found blood stains, which belongs to his son. Hence, he gave a complaint on 29.01.2013, after obtaining signatures from the village people. Copy of the complaint was also enclosed along with the typed set of papers. The respondent police under the influence of the family members of Sangeetha, closed the First Information Report filed in Crime No.96 of 2013 under Section 174 of Cr.P.C, as 'action dropped'. The learned counsel for the petitioner further submits that as per the Forensic Report, the blood stain found in the temple wall belongs to the deceased Manikandan. Therefore, he once again preferred complaint before the respondent police on 07.05.2022. Since he has not received any reply from the respondent police, he approached this Court with the present Criminal Original Petition.



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3.The learned Government Advocate (Crl.side) appearing for the respondents seeks time to file status report.

4.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents and perused the materials placed on record.

5.Perusal of the records shows that the parents of the deceased Manikandan was struggling from the date of death of their son before the Court of law for justice. But their complaints were not suitably replied by any of the Investigating Agency. On the other hand, action dropped report was made by the Investigating Agency, without assigning any valid reasons.

6.In view of the above, this Court is inclined to issue a direction to the respondents to conduct further investigation. Accordingly, there shall be a direction to the respondent police to conduct further investigation in Crime No.96 of 2013 on the file of



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the Nagercoil Police Station and to submit a report before this Court, within a period of three months from the date of receipt of a copy of this order.

7. With the aforesaid direction, the Criminal Original Petition is allowed.

07.10.2022

Index: Yes/No
Internet: Yes/No
vrn/lr

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Thuckalay Police Station,
Thuckalay, Thuckalay Post,
Kanyakumari District.
3. The Inspector of Police,
Railway Police Station,
Nagercoil, Kanyakumari District.
4. The Government Advocate (Crl. side),
Madurai Bench of Madras High Court,
Madurai.



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T.V.THAMILSELVI, J.

vrn/lr

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