



Crl.O.P.(MD) No.18518 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.18518 of 2022

Savithiri

...Petitioner

vs

**1. The Superintendent of Police
Dindigul.**

**2. The Inspector of Police
Town Police Station,
Palani, Dindigul District**

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second Respondent herein to further investigate the First Information Report in Crime No.252 of 2022 registered by the second Respondent and consequently direct to file an alteration report before the concerned Court by including all the offences committed by the accused.

**For Petitioner : Mr.M.Gandhi
For Respondents : Mr.R.Suresh Kumar
Government Advocate(Crl.Side)**



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ORDER

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This Criminal Original Petition had been filed to direct the second Respondent herein to further investigate the First Information Report in Crime No.252 of 2022 registered by the second Respondent and consequently direct to file an alteration report before the concerned Court by including all the offences committed by the accused.

2. When the case came up for hearing on 14.11.2022, there was no representation on behalf of the Petitioner. Therefore the case was adjourned to 21.11.2022 and ordered to be listed under the caption 'For Dismissal'.

3. Today when the case is taken up for hearing, the learned Counsel representing the Counsel on record expressed his apology for not appearing on earlier occasion and the same was recorded. He would further submit that the Petitioner is the mother of the deceased/Saranaya. The daughter of the Petitioner was married to one Seenivasan on 26.10.2016. Out of wedlock they were blessed with a girl child on 26.03.2017. The Son-in-law of the Petitioner had left India. At that time, the Son-in-law of the Petitioner failed



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to maintain her daughter and grand daughter. Therefore the daughter of the Petitioner had sent legal notice to her husband. Subsequently she had also lodged complaint before the All Women Police Station, Pattukottai and it was registered in CSR No.480 of 2021. The Inspector of Police, All Women Police Station, Pattukottai conducted enquiry and during enquiry the daughter of the deceased had stated that because of the conduct of her husband and in-laws she was in depression and she wanted to commit suicide. Thinking about the future of her daughter she had changed her mind. Subsequently on 25.05.2022 she is alleged to have committed suicide.

4. Based on the complaint of the Petitioner a case was registered in Crime No.252 of 2022 dated 29.05.2022 under Section 174 Cr.P.C. It is the contention of the learned Counsel for the Petitioner that till date the police had not proceed with the investigation fairly.

5. Today, when the case is taken up for hearing, the learned Government Advocate(Crl.Side) would submit that investigation dropped based on the viscera report. During investigation it was found that there was compromise during the life time of the deceased with her husband. It is



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also available in the investigation file. It is the submission of the learned Government Advocate(Crl.Side) that the daughter of the deceased was suffering from stomach pain and unable to bear the the same, she is alleged to have committed suicide. Therefore they had dropped further investigation and report filed before learned Judicial Magistrate, Palani.

6. Recording the submission made by the learned Government Advocate(Crl.Side) the Petitioner is directed to approach the Court of the learned Judicial Magistrate, Palani by filing protest petition.

7. The learned Judicial Magistrate, Palani is directed to consider the protest petition if any filed on behalf of the mother of the deceased.

8. With the above direction, the Criminal Original Petition is disposed of.

21.11.2022

Internet: Yes./No

Index: Yes/no

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To

1. The Judicial Magistrate, Palani
2. The Superintendent of Police
Dindigul.
3. The Inspector of Police
Town Police Station,
Palani, Dindigul District
- 4The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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