



CrI.R.C.No.1026 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.06.2024

CORAM:
THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

CrI.R.C.No.1026 of 2024

Vasanthi

...Petitioner

Vs.

Inspector of Police,
Ramanatham Police Station,
Cuddalore District,
Crime No.16/2020.

...Respondent

PRAYER: Criminal Revision case filed under Section 397 r/w Section 401 of Code of Criminal Procedure against the order passed by the Judicial Magistrate, Thittagudi, Cuddalore District made in C.M.P.No.387 of 2023 in C.C.No.28 of 2022 dated 18.04.2024 and set aside the same.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.A.Gopinath, GA

ORDER

This Criminal Revision petition has been filed to set aside the order



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passed by the Judicial Magistrate, Thittagudi, Cuddalore District made in

C.M.P.No.387 of 2023 in C.C.No.28 of 2022 dated 18.04.2024.

2. It is the case of the petitioner that based on the complaint lodged by the petitioner a case in Crime No.16 of 2020 was registered by the respondent Police for the offences under Sections 279 and 304 (A) of IPC against the accused persons. Thereafter, the respondent police conducted investigation and charge sheet has been filed in C.C.No.28 of 2022. During trial, the petitioner filed petition u/s.156(3) of Cr.P.C. seeking to direct the respondent Police to conduct further investigation and to file a report in respect of Crime No.16 of 2020 on the file of learned Judicial Magistrate Thittakudi and the same was dismissed vide order dated 18.04.2024 holding that the grounds raised by the petitioner are not acceptable. Challenging which, the present revision has been filed.

3. The learned counsel for the petitioner submits that though the petitioner's son was murdered and the body was thrown near the lake by the accused persons, however, without considering the same, the law enforcing



agency conducted the investigation in a biased manner and has filed the charge sheet in C.C.No.28 of 2022 in a hurried manner without taking cognizance against the accused persons which is wholly unsustainable.

4. The learned Government Advocate appearing for the respondent submits that admittedly as per the complaint made by the brother of the deceased namely Subhash, it reveals that his brother Chandrabose/deceased was accompanied by one Arulmurugan and Vijayakanth on Yamaha scooter bearing Registration No.TN 91 T 9451 and while they were returning on the two wheeler, the two wheeler hit a cow, due to which the younger brother of Subhash, namely Chandrabose fell from the two wheeler and suffered head injuries. Thereby, he was taken to hospital and while he was taking treatment, he died on 18.01.2020. Therefore, the brother of the deceased had sought investigation against the Arulmurugan and Vijayakanth. Hence, the story narrated by the petitioner is imaginary and the petitioner has been repeatedly making false complaints with regard to the aforesaid case as if her son was murdered which is wholly unsustainable. He further submits that rightly appreciating the aforesaid facts the learned Judge rightly



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dismissed the petition filed by the petitioner in C.M.P.No.387 of 2023 in C.c.No.28 of 2022 u/s.156(3) of Cr.P.C. seeking to direct the respondent Police to conduct further investigation in respect of Crime No.16 of 2020 which is perfectly in order and the same does not warrant any interference. Accordingly, he prayed to dismiss this revision petition.

5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. Though it is the claim of the petitioner that her son was murdered by the accused persons, however, as per the complaint given by the brother of the deceased it clearly reveals that the petitioner's son met with an accident while he was travelling as a pillion rider in a scooter along with one Arulmurugan and Vijayakanth and sustained head injuries leading to his death. Seeking to conduct further investigation in respect of Crime No.16 of 2020 the petitioner filed a petition u/s.156(3) of Cr.P.C. before the learned Judicial Magistrate Thittakudi, however, the learned Magistrate upon perusing the oral and documentary evidence has dismissed the petition



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filed by the petitioner vide order dated 18.04.2024 holding that the reasons stated by the petitioner is not acceptable, which is perfectly in order and the same does not require any interference.

7. Accordingly, the Criminal Revision Petition is dismissed.

20.06.2024

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To

1. Judicial Magistrate, Thittagudi, Cuddalore District
2. Inspector of Police,
Ramanatham Police Station,
Cuddalore District,
Crime No.16/2020.



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M.DHANDAPANI, J.

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