



Crl.OP.No.18537 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.18537 of 2024

P.Pasupathi

... Petitioner

Vs.

1. The State rep.by its
The Inspector of Police,
Perambalur Police Station,
Perambalur District-621 212.

2. P.Nadarajan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in Cr.No.372 of 2024 on the file of the respondent and quash the same.

For Petitioner : Mr.M.Palanimuthu

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)
for R1



WEB COPY



Crl.OP.No.18537 of 2024

ORDER

This Criminal Original Petition is filed to quash the FIR in Cr.373 of 2024 dated 14.05.2024 registered for offence under Section 304(ii) of IPC. The petitioner herein claims that he is the owner of the property and residing away from the property for constructing house in his property, he has engaged an Engineer as a Contractor. While so, the accident had occurred on 20.06.2024, one Raja died by accident fall. Hence, the Contractor Babu, the owner of the property Pasupathy and the petitioner herein have been arrayed as accused.

2. The learned counsel for the petitioner states that the safety measures of the workers are responsibility of the contractor, the first accused. The absentee landlord, who is the petitioner, cannot be held liable.

3. The learned Government Advocate (Crl.Side) submits that investigation is at nascent stage on completion of investigation, the Investigating Officer will be able to decide whether the petitioner is the owner of the property liable to be prosecuted for the negligence or not.



Crl.OP.No.18537 of 2024

4. Regarding the same, this Criminal Original Petition is disposed of directing the respondent police to investigate the matter in the manner known to law and the guidelines of the Hon'ble Supreme Court in similar cases.

02.08.2024

Vv

To

1. The Inspector of Police,
Perambalur Police Station,
Perambalur District-621 212.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.18537 of 2024

Dr.G.JAYACHANDRAN,J.

Vv

Crl.OP.No.18537 of 2024

02.08.2024