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W.P.No.22048 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2024

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

W.P.No.22048 of 2024

M.Samuel

... Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

3.The Inspector of Police,
Vadavanakkampadi Police Station,
Thiruvannamalai District,
Thiruvannamalai.

... Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the 3rd respondent to issue postmortem final report of the petitioner's father Munusamy dated 22.06.2021 by consider the representation dated 30.11.2023 on the file of the 1st and 2nd respondent herein in accordance with law to secure the ends of justice

For Petitioner : Mr.E.Parthiban

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

This Writ Petition is filed seeking direction to the 3rd respondent to issue post-mortem final report in connection with the investigation done regarding the suspicious death of Munusamy, the father of the petitioner herein.

2. The learned counsel appearing for the petitioner submits that examination of tissue not so far conducted and therefore, the same has to be obtained.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that final opinion of the post-mortem doctor reads as below:-

*“From the available records: AR
copy/Post mortem requisition / Case summary
/ Inquest form / Post mortem rough notes /
PMC / Viscera chemical analysis report.*

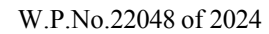
I am of the opinion that the nature of the



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poison could not be detected in the chemical analysis; fatal soft tissue injuries could not be ruled out due to decomposition changes; bony injuries were ruled out; natural cause of death could not be ruled out due to decomposition changes; regarding cause of death definite opinion could not be arrived due to decomposition changes.”

4. This Court, on reading the final opinion extracted above, finds that the post-mortem doctor has done the possible examination of the decomposed body and has given his final opinion and it is for the Investigating Officer to look into this opinion and complete the investigation. This Court finds that the FIR been registered on 18.06.2021 in Crime No.273 of 2021 under Section 174 of Cr.P.C., In spite of receiving the final opinion more than a year back, the investigation not yet completed. Hence the 2nd respondent is hereby directed to supervise regarding completion of the investigation by the 1st respondent and file final report as early as possible.



rpl

No costs.

02.08.2024

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation : Yes/No

To

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

3.The Inspector of Police,
Vadavanakkampadi Police Station,
Thiruvannamalai District,
Thiruvannamalai.

4.The Public Prosecutor, High Court of Madras, Chennai

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