



W.P.(MD)No.5035 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5035 of 2022

P.Muniyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to alter the FIR in Crime No.124 of 2021 on the file of the second respondent Police and to conduct fresh and fair investigation on the suspicious and unnatural death of the petitioner's son, Bakkiaiswaran and to take appropriate legal action against the wrong doers.

For Petitioner : Mr.M.Karthikeyavenkitachalapathy

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This Writ Petition has been filed to direct the respondents to alter the FIR in Crime No.124 of 2021 on the file of the second respondent Police and to conduct fresh and fair investigation on the suspicious and unnatural death of the petitioner's son, namely, Bakkiaiswaran and take appropriate legal action against the wrong doers.

2. The learned counsel appearing for the petitioner would submit that though the FIR was registered, it has not mentioned the name of the real accused persons.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that during the pendency of this petition, the second respondent conducted the investigation and the case was referred to as mistake of fact.

4. In view of the submission made by the learned Additional Public Prosecutor, nothing survives for adjudication in this Writ Petition.



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However, if at all the petitioner is having any grievance, he has to file a private complaint under Section 256 Cr.P.C or Section 200 Cr.P.C.

5. Accordingly, this Writ Petition is disposed of. No costs.

23.01.2024

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To:

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.



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M.DHANDAPANI,J.

ssb

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