



CrI.O.P.(MD) No.5678 of 2023

vBEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.5678 of 2023

S.Manisekaran,

... Petitioner

Vs

1. The Superintendent of Police,
Water Tower,
Rwound Street, Ezhil Nagar,
Dindigul District.

2. The Inspector of Police,
Ambathurai Police Station,
Dindigul District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second Respondent to further investigate the case in Cr.No.331/2021 and thereby include all the offences committed by the accused persons and include all the accused persons involved in the said offences as stated in the complaint dated 01.02.2023.

For Petitioner : Mr.L.Rajendran

For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)



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ORDER

The learned Counsel appearing for the Petitioner submitted that the Petitioner's son was studying B.Tech in Chennai. He worked for DMK Party in 2021 Assembly election. He went along with his friends to Thenkasi and was returning to Chennai. On the way, he died due to car accident, therefore the Ambathurai Police in Dindigul had registered a case in Crime No.331 of 2021 for the offences under Section 279 and 304(A) on 30.06.2020. The complainant was the friend of the son of the Petitioner/Deceased. As per the complainant/Mahesh, he was driving the Innova car from Thenkasi to Madurai but after some time, the son of the Petitioner/one Pradeepraj drove the same car and within the limits of Ambathurai Police Station, Pradeepraj had stopped the vehicle to attend nature's call. While he was getting down from the car, a car moving from behind hit against him and sped away. The friends of the son of the Petitioner, who were in the car could not notice the registration number of the car which hit the said Pradeepraj. Then, Pradeepraj was taken to nearby Government Hospital, where he was pronounced dead. Subsequently, the



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Petitioner came to know that the friends had given contradictory statement.

Therefore, he raised suspicion of his Son's death on the friend who accompanied him. He had also pointed out to the Investigation Officer/the Inspector of Police, Ambathurai Police Station, regarding the same. It is his further submission that when he had sought medical opinion on the injuries of the body of the son of the Petitioner, the Doctors opined that there was no injury on the body of the Pradeepraj. It could have been a hit by an iron rod on the head of the son of the Petitioner from behind. Raising such suspicion, the Petitioner wanted the Respondent Police to proceed with fair and impartial investigation. Therefore, he had filed this petition seeking a direction against the Respondents 1 and 2.

2.The learned Government Advocate (Crl.Side) on instructions of the Respondents 1 and 2, the Investigation had been proceeded fairly and impartially. Even though the father of the deceased/petitioner herein raised suspicion about the friends of the deceased, the Investigation Officer had examined them and nothing was found contradictory to their earlier statement. Also, the Petitioner himself was examined by the Investigation Officer and he had not raised such issues. He was satisfied with the



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investigation proceedings. Till date his only grievance is to find out the vehicle involved in the accident and run so that he can claim compensation for the loss suffered by him due to death of his son.

3.The learned Government Advocate (Crl.Side) on instructions of the Respondents 1 and 2 further submit that a team had been formed to trace out the vehicle involved by securing the video footages from the place of the occurrence including Kodai Road Toll Plaza.

4.Considering the submission of the learned Government Advocate (Crl.Side), the Respondent Police is directed to complete the investigation fairly. The Superintendent of Police, Dindigul District is directed to supervise the investigation of the Inspector of Police, Ambathurai Police Station, Dindigul, through a senior officer from the rank of the Additional Superintendent of Police or Deputy Superintendent Police and file a report before the Court concerned, within a period of three months, from the date of receipt of a copy of this order.



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5. With the above direction, this criminal original petition is disposed

of.

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NCC : Yes/No

Internet: Yes/No

Index: Yes/No

LR

To

1. The Superintendent of Police,
Water Tower,
Rwound Street, Ezhil Nagar,
Dindigul District.

2. The Inspector of Police,
Ambathurai Police Station,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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