



CrI.O.P.(MD)No.8729 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8729 of 2024

Ganesa Rajan

... Petitioner

Vs

1.State of Tamil Nadu,
The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Deputy Superintendent of Police,
Kovilpatti Range,
Thoothukudi District.

3.The Inspector of Police,
East Police Station,
Kovilpatti,
Crime No.241/2024.

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st and 2nd respondents to consider the petitioner's representation dated 03.06.2024 and to conduct further investigation the FIR in Crime No.241/2024.

For Petitioner

: Mr.P.M.Vishnuvarthanan

For Respondents

: Mr. E.Antony Sahaya Prabahar
Additional Public Prosecutor.



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Crl.O.P.(MD)No.8729 of 2024

ORDER

The petitioner, with a grievance that the respondent police has not conducted proper investigation in Crime No.241 of 2024 has filed this application seeking a direction to the respondent police to conduct the investigation in a proper manner.

2.The grievance of the petitioner is that in the incident, which was happened on 25.05.2024, the accused persons have brutally attacked the petitioner, due to which, he has suffered a serious injury on his eye. However, the respondent police is treating the injury as simple in nature and proceeding with the investigation.

3.The learned Additional Public Prosecutor, assisted by the Sub Inspector of Police submits that the petitioner has not co-operated for the investigation. He has refused to go to hospital for examination of his eye to identify whether the injury is grievous or simple in nature. Therefore, they are proceeding with the investigation with the medical report, which was given by a Doctor, who has treated the petitioner initially in Kovilpatti Government Hospital. The Sub Inspector of Police,



Crl.O.P.(MD)No.8729 of 2024

who is present before this Court has also stated that though summon has been issued to the petitioner, he has not appeared and co-operated for the investigation.

4.In reply, the learned counsel for the petitioner has relied on the photograph, which has been enclosed in the typed set of papers and submits that though the petitioner has sustained grievous injury in his eye and he has also suffered a partial disability, the respondent police, without considering the same, has treated the injury as simple in nature and proceeded with the investigation.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.Since it is reported that the petitioner has not co-operated for the investigation and refused to go to the hospital for examination of his eye to identify whether the injury is grievous or simple in nature, the petitioner is directed to appear before the respondent police on 09.07.2024 at about 10.00 a.m. The respondent police shall refer the petitioner to an Ophthalmologist to identify the nature of injury suffered



Crl.O.P.(MD)No.8729 of 2024

by the petitioner and to take further course of action as per the report of
the Ophthalmologist.

7. With the above direction, this Criminal Original Petition is
disposed of.

02.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes
vrn

To

The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Deputy Superintendent of Police,
Kovilpatti Range,
Thoothukudi District.

3. The Inspector of Police,
East Police Station,
Kovilpatti.

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



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CrI.O.P.(MD)No.8729 of 2024

B.PUGALENDHI,J

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Order made in
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