



W.P.Crl.No.26854 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Crl.No.26854 of 2024
and WMP.Nos.29370 and 29734 of 2024

D.Jeeva

... Petitioner

Versus

1. The Government of Tamil Nadu,
Rep by its Secretary,
Department of Home,
Fort George, Chennai- 600 008.

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

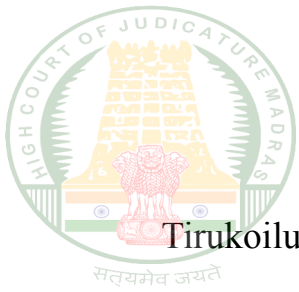
3. Government Medical College and Hospital,
Represented by its Dean, Government Medical College and Hospital,
Kallakurichi- 606 213.

4. Department of Forensic Medicine,
Represented by its Head of Department,
Government Medical College and Hospital, Kallakurichi.

5. Regional Forensic Science Department,
Represented by its Deputy Director,
Master Plan Complex, Villupuram,
Villupuram District-605 602.

6. Deputy Superintendent of Police,

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Tirukoilur Range, Kallakurichi District.

7. Inspector of Police, Snakarapuram Police Station,
Kallakurichi District.

8. The Director, State Forensic Sciences Department,
Forensic House,
30-A, Kamarajar Salai, Chennai-600 004.

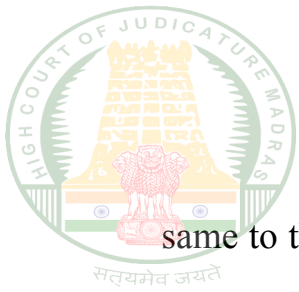
.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the 5th Respondent to forward the viscera and hispathological samples taken during the Post Mortem Examination of Mr.Durai, M/43 indexed under File No. P.M. 168/2023 dated 17.05.2023, the skin bit along with muscles taken from the Right foot and left foot as control and test samples, along with the viscera parts taken vide VPM/TOX.H/880/2023 dated 30.05.2023 and to send the same to the 8th respondent for re-examination and in turn, the 8th Respondent on receipt of the same, may conduct a Forensic Examination afresh and to file a report.

For Petitioner : Mr.P.G.Thiyagu
For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

This writ petition has been filed seeking to direct the 5th Respondent to forward the viscera and hispathological samples taken during the Post Mortem Examination of Mr.Durai, M/43 indexed under File No. P.M. 168/2023 dated 17.05.2023, the skin bit along with muscles taken from the Right foot and left foot as control and test samples, along with the viscera parts taken vide VPM/TOX.H/880/2023 dated 30.05.2023 and to send the



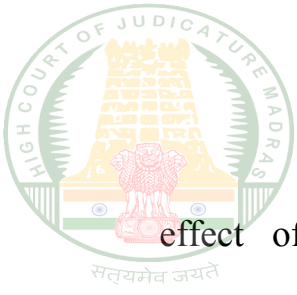
same to the 8th respondent for re-examination and in turn, the 8th Respondent

on receipt of the same, may conduct a Forensic Examination afresh and to file a report.

2. It is the grievance of the writ petitioner that the 5th respondent has not properly noted the injuries found on the dead body, therefore, seeks a direction.

3. The learned Additional Public Prosecutor submitted the post-mortem report clearly indicate that the petitioner's husband died due to snake bite, therefore, action has been dropped.

4. At the outset, this Court is of the view that merely because the postmortem doctor has not noted injury, it cannot be said that death was due to some other reasons. Opinion of the medical experts has clearly come on record based on viscera and other reports. After lapse of time, now direction sought by the petitioner cannot be granted, particularly, viscera was sent to histopathological examination during the year 2023, wherein, the final opinion of the medical officer clearly indicate that person died due to the



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effect of snake bite. While, giving such opinion, autopsy findings, toxicological analysis and histopathological examination were taken into consideration. Such view of the matter, I am of the view that this petition is nothing but abuse of process of law and accordingly, I do not find any merits in this petition.

5. In view of the above, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions stand closed.

01.09.2025

dhk

Index :Yes/No

Internet:Yes/No

To

1. The Secretary
The Government of Tamil Nadu,
Department of Home,
Fort George, Chennai- 600 008.

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

3. Government Medical College and Hospital,
Represented by its Dean, Government Medical College and Hospital,

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Kallakurichi- 606 213.

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4. Department of Forensic Medicine,
Represented by its Head of Department,
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5. Regional Forensic Science Department,
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N. SATHISH KUMAR, J.



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