



CRL.O.P.(MD) NO.2259 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P.(MD) No.2259 of 2025

N.T.Regitha Rajeshwari

... Petitioner

vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Asaripallam Police Station,
Kanyakumari.
(Crime No.1 of 2024)

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the second respondent to conduct fair and proper investigation of the case in Crime No.1 of 2024 on the file of the second respondent herein.



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For petitioner : Mr.S.Ramasamy
For Respondents :Mr.K.Sakthi Kumar,
Government Advocate (Crl)

ORDER

This petition has been filed by the petitioner to direct the second respondent to conduct fair and proper investigation in Crime No.1 of 2024 on the file of the second respondent and pass further orders.

2. The learned counsel for the petitioner would submit that the petitioner is a practising advocate in Nagercoil, Kanyakumari and also a social worker. She came to understand that on 11.01.2024, an unknown and unidentified person was died in a burned condition at upstairs of Manna alias Brindha Bhavan Hotel, Nagercoil. The death was caused by unidentified persons. One Muthurajan has given a complaint to the second respondent on 11.01.2024. Based on the said complaint, the second respondent registered the case in Crime No.1 of 2024 for the offence under Section 174 of Cr.P.C. The body of the deceased was sent to the Asaripallam Government Hospital for autopsy. The second respondent has not collected any materials or evidence from the scene of occurrence, in order to conceal the evidence to safeguard the accused. On 19.11.2024,



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the petitioner sent a representation to the first respondent, due to which, she appeared before the second respondent on 18.01.2025 and gave a statement in writing. But, no proper investigation was conducted. Therefore, she filed this petition.

3. In an earlier occasion, this Court directed the respondents police to file status report and the respondents police also filed the status report. In the status report, it is stated that the case is under investigation. The representation of the petitioner, dated 19.11.2024, was also considered. Further, she was summoned to appear before the second respondent. She also appeared on 18.01.2025 and filed written statement and the same is also taken into consideration for investigation purpose and the investigation is being conducted in a fair manner. The prayer of the petitioner cannot be considered and it is in pre-mature stage. Therefore, he prayed to dismiss the petition.

4. This Court heard both sides and perused the records.

5. As per the status report of the first respondent, the matter is under investigation and the representation of the petitioner is also considered.



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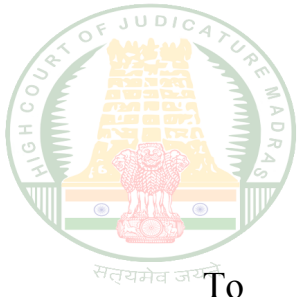
Further, she filed written statement and the same is also taken into consideration. Now, the investigation is going on. In view of the same, this Court directs the second respondent to conduct the investigation in a fair manner as indicated in the status report. Therefore, recording the status report, this Court is inclined to close this Criminal Original Petition.

6. If the petitioner has any material in respect of this incident, it is always open to the petitioner to approach the Investigating Officer for producing those documents.

7. With the above observations, this Criminal Original Petition is closed.

12.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd



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To
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1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Asaripallam Police Station,
Kanyakumari.

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



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P.DHANABAL,J

apd

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