HC-KAR

NC: 2026:KHC:60684
WP No. 20082 of 2023

CNR: KAHC010465552023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 20082 OF 2023 (GM-RES)

BETWEEN:

SRI. V. MANI,
S/O. LATE R. VENUGOPAL,
AGED ABOUT 50 YEARS,
R/AT KRUVINATHAM VILLAGE,
DADURU KAMUN, PANDICHERY NORTH
PUDUCHERRY - 607 402.

…PETITIONER

(BY SRI. M.M. ASHOKA, ADVOCATE)

AND:

1. SUB DIVISIONAL MAGISTRATE COURT,
PANDAVAPURA,
MANDYA - 571 143

2. SUB INSPECTOR OF POLICE
RURAL POLICE STATION, K R PET,
MANDYA - 571 429

3. THE SUPERINTENDENT OF POLICE
MANDYA - 571 401

…RESPONDENTS

(BY SMT. WAHEEDA M.M., HCGP FOR R1 TO R3)

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH

SECTION 482 OF CR.P.C. PRAYING TO-DIRECT THE RESPONDENT POLICE TO INVESTIGATING THE CRIME NO.41/2022 OF KR PET POLICE STATION, MANDYA DISTRICT REGISTERED INITIALLY U/S 174 CRPC AS ANNEXURE-A AND TO FILE FINAL REPORT WITHIN TIME BOUND PERIOD.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri. M.M. Ashoka, learned counsel for the petitioner.

2. The present petition is filed under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure with the following prayer:

> *a. Issue a writ of mandamus directing the respondent police to investigating the Crime No.41/2022 of K.R. Pet Police Station, Mandya District registered initially under Section 174 Cr.PC as Annexure - A and file final report within time bound period.*

3. Facts of the case are that the petitioner is the defacto complainant. Son of the petitioner said to have died when he had been to attend the nature call at Mandya District. Son of the petitioner had gone to attend a Cycle Polo Federation. Final opinion as to the cause of death shows that he died on account of cordio respiratory failure due to asphyxia, as a result of drowning. His body was found and the same was intimated to the complainant and the complainant gave a statement to the police and based on the said complaint, police registered the case as unnatural Death Report (UDR).

4. According to the petitioner, they came to know that some unknown persons are responsible for the death of the son of the petitioner and therefore they approached the police but police did not further investigate the matter and therefore sought for the aforesaid prayer.

5. Sri. M.M. Ashok would contend that in the shock of the hearing the news, the complainant could not reveal

the proper facts of the matter at the time of lodging the complaint to the jurisdiction of police and later they came to know about the intentional activities of some unknown persons. Therefore approached the higher police officials to the police to investigate the matter. It was refused by the higher police officials and therefore the present writ petition is filed.

6. Smt. Waheeda would contend that when there is a UDR report filed by the same complainant, further investigation is impermissible.

7. She would further contend that even in the writ petition, there is no specific doubt about a particular person and mere expressing doubt as to involvement of unknown person would not be sufficient to investigate the matter that too at this distance of time sought for dismissal of the writ petition.

8. Having heard the arguments of both sides, this Court perused the material on record meticulously.

9. On such perusal of the material on record, Court noticed that the incident has occurred in between 08:15 a.m. to 08:20 a.m. on 11.02.2022. Place of incident is near the right side canal of Hemavathi River at Akki Hebbalu, K.R. Pete Taluk, Mandya District.

10. Information was passed on to the police on 13.11.2022 at 09:20 a.m. UDR report came to be filed which was sent to the Sub-division Magistrate on 13.11 at about 10:00 a.m.

11. The complainant was present and he has not expressed any suspicion in the incident at the time of UDR. An interpreter was appeared at the place and complainant revealed the facts to said interpreter by name Sri. Shyam Sundar and later on having confirmed about the interpretation made by Sri. Shyam Sundar from Tamil to Kannada language, UDR came to be filed.

12. Further, even in the present writ petition, there is no specific suspicion that has been mentioned all that

the petitioner is seeking is to elucidate the truth, further investigation is necessary.

13. Since the UDR proceedings has completed and in the absence of any specific doubt or the suspicion no useful purpose would be served by ordering for fresh investigation or further investigation.

14. Accordingly, I pass the following:

ORDER

Writ Petition is ***dismissed***.

Sd/-
(V SRISHANANDA)
JUDGE

SNC
List No.: 1 Sl No.: 47