



WEB COPY

CRL RC No. 674 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**CRL RC No. 674 of 2026
and Crl.MP.No.5135 of 2026**

Priya

..Petitioner

Vs

1.The State Rep by
Inspector of Police,
Kovilpalayam Police Station,
Coimbatore.

2.Rajesh Kumar
3.Ramki
4.Devaraj

..Respondents

Prayer: This Criminal Revision petition is filed under Section 438 r/w 442 of Cr.P.C, to call for the records and set aside the order dated 08.08.2025 made in Crl.MP.No.1424 of 2024 in C.C.No.405 of 2023 on the file of District Munsif cum Judicial Magistrate, Annur.

For Petitioner:

Mr.A.Sivakumar @ Sivaaji

For Respondent:

Mr.R.Kishore Kumar
Government Advocate (Crl.Side) for R1

ORDER

The petitioner has preferred the above revision challenging the judgment passed by the learned District Munsif cum Judicial Magistrate, Annur in Crl.MP.No.1424 of 2024 in C.C. No.405 of 2023 dated 08.08.2025.



2. The case of the prosecution is that on 29.08.2018, the deceased, Manikandan was engaged in marriage decoration work along with the accused.

While he was carrying out the said work, at about 12.00 noon, he stood on a high stool for the purpose of decoration and accidentally fell down, as a result of which he sustained injuries and lost consciousness. It is further alleged that though he regained consciousness for sometime, he was immediately taken to the Coimbatore Medical College Hospital for treatment. However, despite treatment, he succumbed to the injuries on the same day. Hence, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner relying upon the post-mortem report, submitted that the reference to injuries affecting the cranial region indicates that the same could have been caused only by a lethal weapon. He further submitted that the investigation conducted so far has not properly examined the aspect of homicide. Therefore, as per Section 173(8) of Cr.P.C., a further investigation is necessary to unearth the true cause of death of the deceased. He further submitted that the deceased was in a relationship with the daughter of the first accused, which was not liked by the accused and on account of the same, the accused had allegedly caused the death of the deceased. According to the petitioner, this aspect has not been properly investigated by the prosecution.



4. At this juncture, the learned Government Advocate (Crl.Side) would contend that the occurrence took place on 29.08.2018 and the FIR was registered on 31.08.2018. Thereafter, the investigation was transferred to Kovilpalayam Police Station on 04.09.2018 and the final report came to be filed on 11.12.2019 and the case was taken on file in C.C.No.26 of 2020 on the file of the learned Judicial Magistrate No.II, Coimbatore, on 04.01.2020.

5. I have given my anxious consideration to the submissions made on either side.

6. In the light of the above events, it is seen that the present application has been filed only in the year 2024. It has been rightly pointed by the learned counsel for the petitioner, that further investigation can be ordered ever after filing of the final report, in view of Section 173(2) of Cr.P.C. However, such a request must be supported by placing some fresh material or evidence before the Court warranting further investigation.

7. In the present case, the learned counsel for the petitioner relied upon the post-mortem certificate dated 31.08.2018. Except the said document, no fresh material has been produced before the Court. A perusal of the post-



mortem report indicates the presence of cranial injury. According to the petitioner, such injury could have been caused only by a lethal weapon.

However, as rightly observed by the learned Magistrate, there is no fresh material or evidence placed on record to substantiate the involvement of any weapon or to indicate homicidal death.

8. It is a well settled principle of law that the contours and the scope of the Criminal Revision is only limited, and unless the findings of the trial Court are perverse or suffer from patent illegality, interference is not warranted. Merely because an alternate view is possible, the same cannot be a ground to interfere with the reasonable findings recorded by the learned Magistrate. As rightly observed by the learned Magistrate, in the absence of any fresh evidence to indicate the involvement of a weapon or to necessitate further investigation into an alleged offence of murder, ordering for further investigation does not arise. Hence, this Court finds no infirmity in the order passed by the learned District Munsif cum Judicial Magistrate, Annur dated 08.08.2025 made in Crl.M.P.No.1424 of 2024 in C.C.No.405 of 2023. Accordingly, this Criminal Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

23-03-2026

DRL



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To

1. The District Munsif cum Judicial Magistrate,
Annur.

2. The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore.

3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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