

(2023) 12 KL CK 0035

In the High Court Of Kerala

Case No : Writ Petition (Crl.)No. 1261 Of 2023

Venugopal @ Aniyan

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 04-12-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 174

Citation : (2023) 12 KL CK 0035

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : George Sebastian, Sreeja V

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. The above writ petition is filed with following prayers:

“(i) To issue a writ of mandamus, order or direction to the 1st and 2nd respondents to entrust crime 1108/2023 of Pothencode police station, Thiruvnanthapuram District to any competent officer of the crime branch or to a Senior Police Officer to conduct a proper and effective investigation in the said crime.

(ii) To issue a writ of mandamus, order or direction to the 1st respondent to consider and pass orders on Ext-P3 representation at the earliest after hearing the petitioners.

(iii) To issue a writ of mandamus, order or direction to the 2nd respondent to consider and pass orders on Ext-P4 representation at the earliest after hearing the petitioners.

(iv) In the alternative, issue a writ of mandamus, order or direction to the 3rd respondent to conduct a proper, fair and speedy investigation in crime 1108/2023 of Pothencode police station, Thiruvnanthapuram District.

(v) To dispense with the production of English translation of Vernacular documents.

(vi) Grant such other reliefs as this Hon'ble court deems fit and proper.” (sic)

2. Petitioners are husband and wife. Their son Ananthu, who was aged 24 years, was found dead by hanging on a ceiling fan on 23.06.2023. An FIR was registered at Pothencode police station on 23.06.2023 as Crime No.1108 of 2023 under Sec. 174 of Cr.PC. Ext P1 is the FIR along with FI statement. According to the petitioners, deceased Ananthu was a polytechnic graduate. There were some financial transactions between the petitioners and one couple by name Anilkumar and Soumya. The deceased Ananthu also had financial transactions with them. It is the case of the petitioners that they used to harass the deceased and he was forced to commit suicide on account of the abetment by them. The investigation is not conducted in this angle is the grievance. The petitioners approached the authorities and there is no response. Hence this writ petition.

3. Heard counsel for the petitioners and the public prosecutor.

4. After hearing both sides, I think this writ petition itself can be disposed of allowing the petitioners to submit a representation narrating their grievance to the 2nd respondent and there can be a direction to the 2nd respondent to consider the same and take appropriate steps, in accordance with law and communicate the same to the petitioners.

Therefore, this writ petition is disposed of in the following manner:

1. Petitioners are free to submit representation narrating their grievances raised in this writ petition to the 2nd respondent within four weeks from the date of receipt of a certified copy of this judgment.

2. Once such a representation is received, the 2nd respondent will consider the same and take appropriate steps in accordance with law and communicate the decision taken to the petitioners, as expeditiously as possible, at any rate within two months from the date of receipt of representation.