

IN THE I ADDITIONAL DISTRICT & SESSIONS COURT AT CUDDALORE

Present: Thiru. **S. Prakash**, B.Sc., B.L., LL.M.,
I Additional District & Sessions Judge (FAC),

Tuesday, the 04th day of July 2023

S.C..No. 186 of 2021

State, Rep. by

S.H.O., Cuddalore O.T. Police Station,

Crime No. 55/2021.

... Complainant

.Vs.

Sakthivel, (Age 21/2000)

S/o. Parasuraman

Mohan Sing Street,

Cuddalore O.T.

... Accused

ORDER

1. The accused person was appeared before this Court on 04.07.2023 for further proceedings relating to alleged charges. While so, this court has posed certain formal questions on the Accused and he answered irrationally.

2. Heard both sides. Records perused and considered. The Accused is on bail. On perusal, it is noted that the accused person was allegedly charged with the offence of murder of his own Father. Further more, this court is also having primordial duty to ensure the competency of the accused to face the trial for the alleged charges U/s. 302 IPC. In such circumstances, the mental condition of the accused is very much relevant and necessary to proceed further in this case. Thus, this court inclined to order for an examination of accused before the Institute of Mental Health, Kilpauk, Chennai, to ascertain his competency interms of Mental health condition to face the trail relating to the offence of Murder.

3. In fine, Psychiatric / Medical Examination on accused is ordered with following terms :

(i) The accused Sakthivel, S/o. Parasuraman, M/21 is hereby referred to Institute of Mental Health, Kilpauk, Chennai, for Psychiatric Examination U/s. 329 of Cr.P.C.

(ii) The Inspector of Police, O.T. Police Station, Cuddalore is instructed to coordinate with the Institute of Mental Health, Kilpauk, Chennai, for Psychiatric Examination of the accused. Further, the Inspector of Police, O.T. Police Station, Cuddalore, is hereby directed to take steps to cause produce the accused before the Institute of Mental Health, Kilpauk, Chennai.

(iii) On production of said accused Sakthivel, S/o. Parasuraman, M/21, the Institute of Mental Health, Kilpauk, Chennai -10, is hereby directed to examine the said Sakthivel, S/o. Parasuraman, M/21, as per procedures contemplated, and to file a detailed Report at the earliest point of time, on following aspects :

1. The present mental condition of the accused.

2. The History of accused related to Psychiatric conditions.

3. The nature of mental illness, if any.

4. The duration required for treatment, if any.

5. Whether the accused is in capable condition to participate in the proceedings by entering defence related to offence U/s.302 IPC.

6. All other factors, related to proceedings U/s. 328 / 329 of Cr.P.C.

(iv) The office of this Court is directed to mark a Copy of this Order to The Dean, Institute of Mental Health, Kilpauk, Chennai -10 and the Inspector of Police, O.T.Police Station, Cuddalore, for follow-up action and compliance.

// Order Pronounced by me in this case on the 4th day of July 2023//

**I Additional District & Sessions Judge (FAC),
Cuddalore.**