

IN THE COURT OF THE JUDICIAL MAGISTRATE No.I, SIVAGANGAI

PRESENT : THIRU. P. SELVAM, B.Sc. B.L.,
Judicial Magistrate No.I,
Sivagangai.

Monday, the 06th day of April 2026

Crl.M.P.No.7550/2025
in
RCS No.6/2025
(on the file of Kalaiyarkovil Police Station)

Arockiya Jeya,
W/o.Mudiyappan,
Kundakudai,
Usilangulam Post,
Kalaiyarkovil Taluk,
Sivagangai.

... Petitioner/Defacto complainant

Vs.

State thro' Inspector of Police,
Kalaiyarkovil P.S.
Cr.No. 51/2025

... Respondent

The petition came up for final hearing before me on 24.03.2026 in the presence of Thiru.RMK.Ramprabhakar, B.A.,B.L., learned Counsel for the Petitioner/defacto complainant I made the following.

ORDER

1. The final report has been filed by the investigating officer u/s.194 of BNSS for closing the FIR under FAD.

2. The defacto complainant stated that her son Vincent Prabhu was died suspicious circumstance on 29.01.2025. The complainant's son Vincent Prabhu went to the paddy field for harvesting in his land. Where, the harvesting machine got repair,

the Vincent Prabhu return to home by two wheeler bearing Registration No. TN 25 L 9732 which is belongs to the engine driver of the harvest machine. When, he return to home, he fell down from the bike and sustained internal injuries. The Vincent Prabhu laid down on the position that the bike on the Vincent Prabhu. Where, the Justin Denial and Arockiyasamy saw the deceased and gave information to the defacto complainant and his family members. Thereafter, the Vincent Prabhu was taken into Maravamangalm Government Hospital for First Aid treatment. Since, the body condition of Vincent Prabhu was in deteriorated, the Medical officer advised them to take into the Kalaiyarkovil Government Hospital. Thereafter, the Vincent Prabhu was died due to failure of treatment. Hence, the defacto complainant has given a complaint for the death of her son. Accordingly, the respondent has registered the case u/s.194 of BNSS for death under suspicious circumstance.

3. The Investigating officer has examined 19 witnesses and produced documents relevant to the case of prosecution. After consider the statement of witnesses and medical examination report, the investigating officer has come to conclusion that the death of Vincent Prabhu is not suspicious one. He died due to the self accident while riding the bike. Moreover, the Medical officer has given opinion that “ After perusal of Post Mortem report and Forensic Science Laboratory Report, I am of the opinion in view of negative chemical analysis and histopathology reports, no definite opinion couldn't be given regarding the cause of death.” Moreover, the medical officer has answered the questions raised by the investigation officer. The medical officer given opinion that the injuries possible to inflict upon the deceased due to fell down by the two wheeler. The investigating officer questioned to the medical

officer that the death was occurred due to external injuries and sudden provocation and extreme pain for which the medical officer given opinion that the death was occurred due to extreme pain and sudden provocation. Moreover, there is no any poisonous substance or Alcohol substance in the body of deceased. Therefore, there is no any external and internal injuries are not cause of death to the deceased. Therefore, the investigating officer concluded that the death has occurred due to the self accident and final report filed for closing the charge sheet.

4. The defacto complainant notice served to the defacto complainant and protest petition filed by the defacto complainant in CrI.M.P.No.7550/2025. It is stated that the death of the son is not accidental one. It was a murder. The close associate at the time occurrence Justin Denial and Arockiyasamy have alleged to commit murder the defacto complainant's son without external injuries. Moreover, the investigating officer has not properly investigated the matter. Hence, the charge sheet filed by the investigating officer is not acceptable one and further investigation is necessary to find out the truth of the case.

5. This court carefully consider the averments of charge sheet and documents as well as the protest petition. The defacto complainant's son Vincent Prabhu died without external injuries on 29.01.2025. Since, the doubts arises regarding the cause of death, the defacto complainant has given complaint for investigation on 30.01.2025. In this regard the investigating officer has examined 19 witnesses for establishing the cause of death. Wherein, the Justin Denial, Arockiyasamy, Prabhu and Nazir were present with deceased before leaving the paddy field. The deceased borrowed two

wheeler from the paddy harvesting engine driver for going to the home. When, he was riding the bike, he fell down and entangled under the bike. The above Justin Daniel, Prabhu and Nazir found the deceased and took him to the hospital by their vehicle for First Aid treatment given Maravamangalm Government hospital. Thereafter, he was taken into Kalaiyarkovil Government Hospital. Where, the Medical Officer declared brought dead. The investigating officer recorded all the statement of witnesses and perused the medical records. It is found that the deceased was not assaulted by any one at the time of occurrence. Moreover, there is no any poison or alcohol consumed by the deceased. On the eye witnesses account, the deceased fell down the ground from the motor cycle. On seeing the body of deceased, there is no any external injuries found the body. The deceased was taken into hospital by the persons present there for giving first aid treatment. The postmortem doctor has not arrived opinion for cause of death due to very small external injuries only found in the body. Moreover, there is one contusion visible on the right side buttocks. The injury was possible to happen by thorn. Therefore, the investigating officer asked questions to the postmortem doctor for clarity to arrive conclusion of cause of death. Moreover, the medical officer couldn't give opinion for cause of death. The other circumstantial evidence is important to consider the nature of death. The eye witnesses and other hearsay witnesses given statements to the investigating officer that there is no any suspicion around the incident. Therefore, the investigating officer after consider all the material evidence and arrived conclusion that the death of Vincent Prabhu is not doubtful one. Moreover, the protest petitioner has not produced any valid documents to show the deceased was died under suspicious manner. Therefore, the death was not occurred due to external

act of any one. Moreover, there is no any previous motive establish on the side of defacto complainant during the enquiry. Hence, this court concluded that the Vincent Prabhu was died due to self accident. The statement of witnesses and records produced by the prosecution is acceptable one and this court arrived the conclusion that there is no any doubts arised on the death of Vincent Prabhu. Hence, the charge sheet is accepted and no grounds for refer further investigation.

Accordingly, the protest petition in CrI.M.P.No.7550/2025 is dismissed and RCS No.6/2025 is closed.

Dated this the 06th day of April 2026.

**Judicial Magistrate No.I,
Sivagangai.**