

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.17786 of 2015

K.M.Akbar Sait

... Petitioner

Vs

State,
Rep. by the Inspector of Police,
G-5, Soonambedu Police Station,
Kancheepuram.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.293/2015, under Section 174 Cr.P.C on the file of the respondent to any other investigating agency.

For Petitioner : Mr.J.C.Durairaj

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation in Crime No.293/2015, under Section 174 Cr.P.C on the file of the respondent to any other investigating agency.

2. The petitioner herein preferred a complaint on 18.04.2015 to the respondent police alleging that his daughter by name, Jeenath Najim, aged about 27 years, wife of Mohideen, residing along with her husband was found dead in a locked room at her matrimonial house. It is further stated that in fact, on 16.04.2015, the deceased Jeenath Najim contacted the petitioner and informed that she was being harassed by her husband for dowry. Hence, the petitioner lodged a complaint on 18.04.2015 and the same was registered in Crime No.293/2015 for the offence under section 174 Cr.P.C. Since there was no progress thereafter, the present petition has been filed to transfer the

investigation to some other investigating agency.

3. When the matter is taken up for consideration, learned Additional Public Prosecutor, submitted that the offence under section 174 Cr.P.C. was altered into section 306 IPC and the altered FIR was also filed before the learned Judicial Magistrate, Madhuranthagam, and investigation is in progress.

4. Since already the investigation is in progress, this Court is not inclined to entertain this petition. Hence, the criminal original petition stands dismissed. However, the respondent police is directed to expedite the investigation and to file a final report as early as possible.

Sd/
ASSISTANT REGISTRAR (CCC)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

vsi

To

1. The Inspector of Police,
G-5, Soonambedu Police Station,
Kancheepuram..

2. The Public Prosecutor,
High Court, Madras.

+1 CC to MR.J.C.Durairaj Advocate. SR.NO. 64803

सत्यमेव जयते

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CO-RSK
JD 17/12/2015