

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.23753 of 2015

and M.P.No.1 of 2015

M.Srinivasan

... Petitioner

Vs

1.The Director General of Police,
Tamil Nadu Police Head Quarters,
Kamarajar Salai, Chennai - 4.

2.The Commissioner of Police,
Office of the Commissioner
of Police, Veperi,
Chennai - 7.

3.The Inspector of Police,
R3 Ashok Nagar Police
Station, Chennai.

4.The Inspector General
of Police, CBCID,
CBCID Head Quarters,
Industrial Complex,
Chennai - 32.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.2667 of 2015 on the file of the third respondent to fourth respondent, consequently direct the fourth respondent herein to depute a competent officer to take up the investigation of Crime No.2667 of 2015, investigate the same under the fourth respondent's direct supervisions and proceed as per law.

For Petitioner : Mr.S.Prabakaran, for
M/s.Greetha Senthilkumar

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

ORDER

The present criminal original petition has been filed to transfer the investigation in Crime No.2667 of 2015 pending on the file of the third respondent to the file of fourth respondent and consequently, to direct the fourth respondent herein to depute a competent officer to take up the investigation of Crime No.2667 of 2015, investigate the same under the fourth respondent's direct supervisions and proceed as per law.

2. In the petition, it is averred that the marriage between the petitioner's daughter Sujatha and one Venkatesan was solemnized on 19.6.1996 at Golden Paradise Thirumana Koodam, Chennai according to Hindu rites and Customs. Out of the wedlock, his daughter gave birth to two male child. At the time of marriage, his son in law Venkatesan and his family members demanded huge dowry. After marriage, his son in law used to abuse his daughter Sujatha in drunkard mood and used to beat her. Because of the physical and mental torture and dowry harassment caused by her husband and his family members, her daughter Sujatha committed suicide by hanging herself on 1.8.2015. Hence, his daughter Sujatha's son lodged a complaint before the third respondent and the same was registered in Crime No.2667 of 2015 under Section 174 Cr.P.C., which was later altered into one under Section 306 I.P.C. Since the officials of the third respondent are friends of his son in law Venkatesan, the third respondent is not investigating the case in a proper manner and they are investigating the same in a lethargic manner. Hence, the petitioner has filed the present petition to transfer the investigation in Crime No.2667 of 2015 from the file of the third respondent to the file of the fourth respondent.

3. Learned counsel appearing for the petitioner submitted that the third respondent police arrested the said Venkatesan in Rameshwaram, but in the remand report, they have stated that he was arrested in West Mambalam, Chennai and recorded his confession statement in front of the witnesses at the same place.

4. Learned Additional Public Prosecutor denied the submission made by the learned counsel appearing for the petitioner. Further, he has submitted that the third respondent police had altered the section 174 Cr.P.C. into Section 306 I.P.C. and arrested the accused, which would show that they are conducting the investigation in a proper way. Further, he has submitted that the investigation in this case is almost over and hence, at this juncture, there is no need to transfer the

investigation from the file of third respondent to the file of fourth respondent.

5. In view of the said submission made by the learned Additional Public Prosecutor, I am of the view, at this stage, there is no need to transfer the investigation from the file of third respondent to the file of fourth respondent. However, appropriate direction could be given to the Assistant Commissioner of Police, Ashok Nagar Police Station to monitor the investigation.

6. In the result, the criminal original petition is disposed of, with a direction to the Assistant Commissioner of Police, Ashok Nagar Police Station, Chennai, to monitor the investigation in Crime No.2667 of 2015 pending on the file of the third respondent. Consequently, connected miscellaneous petition is closed.

Sd/
ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sbi

To

- 1.The Director General of Police,
Tamil Nadu Police Head Quarters,
Kamarajar Salai, Chennai - 4.
- 2.The Commissioner of Police,
Office of the Commissioner
of Police, Veperi,
Chennai - 7.
- 3.The Assistant Commissioner of Police,
Ashok Nagar Police Station,
Chennai.
- 4.The Inspector of Police,
R3 Ashok Nagar Police
Station, Chennai.

5.The Inspector General
of Police, CBCID,
CBCID Head Quarters,
Industrial Complex,
Chennai - 32.

6. The Public Prosecutor,
High Court, Madras.

+1 CC to M/s.Greetha Senthilkumar Advocate. SR.NO.65423

Cr1.O.P.No.23753 of 2015

CO-SR
JD 22/12/2015



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