

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.10.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.24235 of 2015

R.Santhi

... Petitioner

Vs

1.The Superintendent of Police,
Ariyalur District, Ariyalur.

2.The Inspector of Police,
Kayarlapath Police Station,
Ariyalur District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to transfer the investigation concerned in Crime No.176 of 2015 on the file of the 2nd respondent to any other competent agency and consequently direct the transferee agency to conduct the investigation and to file a final report within the stipulated time.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to transfer the investigation in Crime No.176 of 2015 from the file of the 2nd respondent to any other competent agency and to direct the transferee agency to conduct the investigation and file a final report within the stipulated time.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor for the respondents and perused the materials placed on record.

3. On a complaint lodged by Santhi, who is the petitioner herein, the respondent police have registered a case against three accused for offences under Section 294[b], 324 and 506 [ii] IPC in Crime No.176 of 2015 on 13.09.2015.

4. It is the grievance of the petitioner that, her husband was brutally attacked by the said three persons and he suffered serious head injuries. Despite which, the respondent

police have not included the provisions of Section 307 IPC when there are abundant materials to show, that the attack was intended to eliminate him.

5. In the considered opinion of this Court, it will serve the interest of justice, if the investigation in Crime No.176 of 2015 pending on the file of the ^{2nd} respondent, be directed to be conducted under the direct supervision of the Superintendent of Police, Ariyalur District, instead of transferring the investigation to any other agency. This Court is of the view that, if the investigation is done under the supervision of the Superintendent of Police, the aggrieved party will get justice.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1.The Superintendent of Police,
Ariyalur District, Ariyalur.

2.The Inspector of Police,
Kayarlapath Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.W.Camyles Gandhi, Advocate, sr.55994/2015

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