

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27024 of 2015

S.Baby.

... Petitioner

Vs

1. The State,
Rep by the Superintendent of Police,
Tiruppur District, Tiruppur.
2. The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur District.
3. The Inspector of Police,
CBCID, Tiruppur,
Tiruppur District. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation in Cr.No. 514 of 2015 from the file of the Inspector of Police, Kangayam Police Station, Kangayam, Tiruppur District the 2nd respondent herein to the file of the Inspector of Police, CBCID, Tiruppur, Tiruppur District the 3rd respondent herein.

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

O R D E R

The present criminal original petition has been filed, seeking for a direction to the 1st respondent to transfer the investigation in Cr.No. 514 of 2015 from the file of the Inspector of Police, Kangayam Police Station, Kangayam, Tiruppur District- the 2nd respondent herein, to the file of the Inspector of Police, CBCID, Tiruppur, Tiruppur District- the 3rd respondent herein.

2. According to the petitioner, her husband was working as a Coolie in the power-loom factory and on 06.07.2015 one Sivakumar, President of Panayampalli Village along with his

hooligans came and severely attacked her husband due to previous enmity. Thereafter, the petitioner's husband lodged a complaint before the Inspector of Police, Chennimalai Police Station, Erode District which was registered as FIR in Cr.No. 295 of 2015. The Inspector of Police made arrangements to discharge the petitioner's husband from hospital and taking advantage of the said situation, the accused persons obtained bail. The petitioner claims that since the accused person is an influential person, the Inspector of Police has not proceeded with the investigation. While so, on 20.08.2015, the petitioner's husband died in mysterious circumstances and therefore the petitioner lodged a complaint before the 2nd respondent which was registered as FIR in Cr.No. 514 of 2015 for the offence U/s. 174 of the Cr.P.C. Since the 2nd respondent has not proceeded with the investigation till date as there is no progress, the present petition has been filed by the petitioner before this Court, seeking for a direction to the 1st respondent to transfer the investigation from the file of the 2nd respondent to the 3rd respondent.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the case was registered under Section 174 Cr.P.C. and matter is pending enquiry before the Tahsildar and once the report is received from the Tahsildar, the respondents will proceed with the matter.

4. In view of the submissions made by the learned Additional Public Prosecutor, this Court is of the view that there is no need to give a specific direction, however, the respondent No. 2 is directed to expedite the investigation and complete the same in accordance with law as early as possible.

5. This criminal original petition is disposed of accordingly. No costs.
rms/suk

s/d-

सत्यमेव जयते
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Tiruppur District, Tiruppur.
2. The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur District.

3. The Inspector of Police,
CBCID, Tiruppur,
Tiruppur District.

+ 1 cc to Mr.C.Prakasam, Advocate SR 64022

rsk(co)
prk14/12

Crl.O.P.No.27024 of 2015



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