

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Crl.OP No.28514 of 2015

R.Priya

.. Petitioner

Vs

- 1.The State of Tamil Nadu
Rep. by the Superintendent of Police,
Krishnagiri District.
- 2.The Inspector of Police (L&O),
Kaveripattinam Police Station,
Krishnagiri District.
3. The Inspector of Police,
CBCID,
Krishnagiri District. ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to transfer the investigation of the case in Crime No.251 of 2015 pending investigation on the file of the second respondent to CBCID or any other investigating agency.

For Petitioner :Mr.J.Karthikeyan

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to transfer the investigation of the case in Crime No.251 of 2015 pending investigation on the file of the second respondent to CBCID or any other investigating agency.

2. The petitioner is a house wife. According to police, the husband of the petitioner had illegal intimacy with one Gomathy wife of Rangasamy, resident of Kalikan Kottai, Jagathap Tharappu, Kaveripattinam Union, Krishnagiri District. The husband of the petitioner committed suicide in the newly

constructed premises of the said Gomathy. The petitioner received a phone call on 02.04.2015 around 7 a.m. and conveyed that her husband committed suicide by hanging. As soon as the petitioner reached the spot along with her relatives, the body was taken to the Government Hospital for postmortem. The petitioner found that there was no door available, no table, no chair, or any kind of wooden or iron articles. However, according to the police, the husband of the petitioner used a ladder to hang himself. But he was found hanged in a fan hook which was located in the middle of the hall. Therefore, the petitioner has raised suspicion in the death of her husband before the second respondent. But the second respondent instead of registering a murder case against the real culprits, registered the F.I.R. under section 174 Cr.P.C. for the reasons best known to him. Hence unsatisfied with the investigation of the second respondent, the petitioner has come forward with the present petition.

3. The learned Additional Public Prosecutor submitted that the occurrence has taken place only on 02.04.2015 and the investigation is in progress and the respondent would conduct investigation in all aspects and thus, he opposed to transfer the investigation.

4. In view of the submissions made on either side, in my considered opinion, no valid ground has been made out to transfer the investigation in Crime No.251 of 2015. Therefore, this court directs the second respondent to expedite investigation in Crime No.251 of 2015 and complete the same as early as possible.

5. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(CS-III)

True Copy

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police (L&O),
Kaveripattinam Police Station,
Krishnagiri District.

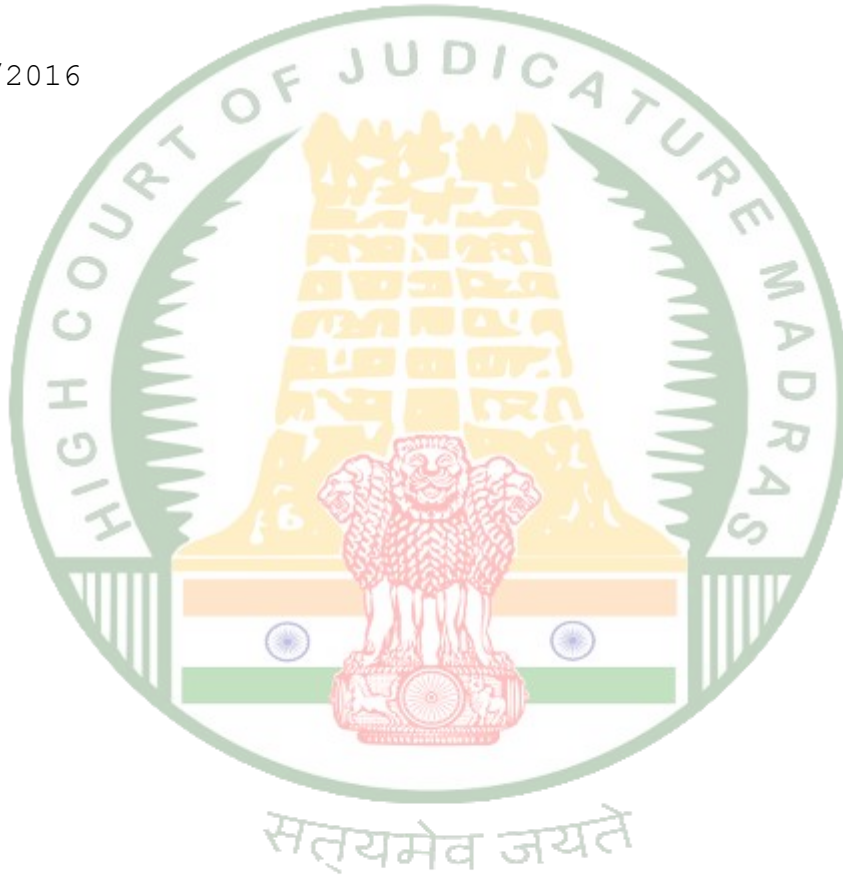
3. The Inspector of Police,
CBCID,
Krishnagiri District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/S.J.Karthikeyan, Advocate sr.64528

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srg 04/01/2016



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