



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P(MD)No.12889 of 2015

S.Nagajothi

... Petitioner

Vs.

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

2. The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai District,
Madurai.
(in Crime No.170 of 2015)

... Respondents

Prayer:- Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court, for a direction to the first respondent to change the investigation on the file of the second respondent in Crime No.170 of 2015 to some other competent authority and also make a proper investigation under his supervision in accordance with law.

For Petitioner : Mr.B.Chandramohan

For Respondents : Mr.K.Anbarasan

Govt. Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to the first respondent to change the investigation on the file of the second respondent in Crime No.170 of 2015 to some other competent authority and also make a proper investigation under his supervision in accordance with law.

2. Heard the learned counsel appearing for the petitioner and also the learned Additional Government Pleader appearing for the respondents.

3.The petitioner being the wife of the deceased has come forward with this petition seeking transfer of investigation.

4.It appears that originally the case has been registered under Section 174 Cr.P.C., in Crime No.170 of 2015.

5.The learned counsel for the petitioner submitted that the petitioner gave a specific complaint stating that there was a dispute



between the petitioner's family and the family of one Paramasivam and the said Paramasivam along with other persons thrown out the petitioner and her husband from their house recently. He further submitted that the deceased was not having fits prior to the death, as this aspect has not been enquired, the present petition has been filed.

6.The learned Government Advocate(Crl.Side) on instructions would submit that the respondents are awaiting only chemical analysis report.

7.On a perusal of the records, it appears that the petition has not been enquired on the specific allegations made by the petitioner and the named persons mentioned in the complaint had also been not enquired.

8. Considering the above said submissions, this Court is inclined to change the investigation from the file of the second respondent and also directs the first respondent to change the investigation from the file of the second respondent to some other competent authority. The above said exercise shall be done within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

\\True copy\\

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai District, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Akm/16.07.15 /2p-4c/

Cr1.O.P. (MD) .No.12889 of 2015