



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD).No.16126 of 2014

and

M.P.(MD).No.1 of 2014

M.Natarajan ... Petitioner
-Vs-

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
CBCID,
Narimedu,
Madurai District.

3.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
(Crime No.71 of 2014) ... Respondents

PRAYER:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent No.1 to withdraw the case Crime No.71 of 2014 under Section 174 of Cr.P.C on the file of Respondent No.3 dated 27.02.2014 and entrust the same to Respondent No.2 for an investigation of the case by a competent officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner :Mr.T.Lajapathiroy

For Respondent :Mr.K.Anbarasan

Government Advocate(Crl.side)

ORDER

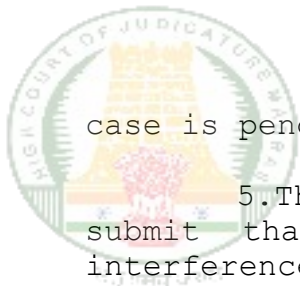
This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the respondent No.1 to withdraw the case Crime No.71 of 2014 under Section 174 of Cr.P.C on the file of Respondent No.3 dated 27.02.2014 and entrust the same to Respondent No.2 for an investigation of the case by a competent officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.The petitioner is the brother of the deceased and the case has been registered under Section 174 of Cr.P.C in Crime No.71 of 2014.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel for the petitioner submitted that the deceased had multiple injuries which have not been explained. Though the



case is pending for one year, no progress has been made.

5.The learned Government Advocate (Crl.side) on instructions would submit that the deceased died at cardiac problem and hence, no interference is required.

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6.Absolutely there is no material available on record to show that as to whether the named persons are examined or not and also no material available on the injuries said to have been caused to the deceased and if so, ought to have been explained.

7.Considering the above said submissions, this Court is inclined to direct the first respondent to withdraw the case in Crime No.71 of 2014 on the file of the third respondent and transfer the same to any other officer at Tirunelveli within a period of four weeks from the date of receipt of a copy of this order and monitor the investigation.

With the above direction, the criminal original petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub- Assistant Registrar

To

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
CBCID,
Narimedu,
Madurai District.

3.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.LajapathiRoy, Advocate SR.No.22448

sm:13.05.2015:2P/6C

NS

Crl.O.P (MD) No.16126 of 2014
24.04.2015