



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22/4/2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Crl.O.P. (MD) NO.6301 of 2014

WEB COPY

Annalakshmi

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Petitioner

Vs

1. The Director General of Police (DGP)
Dr.Radhakrishnan Salai
Chennai.

2. The Superintendent of Police
Tirunelveli District.

3. The Inspector of Police
Railway Police Station
Tirunelveli.

4. The Correspondent
Sri Jeyendra Saraswathi Swamigal
Metric Higher Secondary School
Thalaiyuthu
Tirunelveli District.

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Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the first respondent to transfer the investigation pending in Crime No.4 of 2014 from the file of the third respondent to the file of the second respondent and to direct the second respondent and investigate the same in accordance with law.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.K.Anbarasan

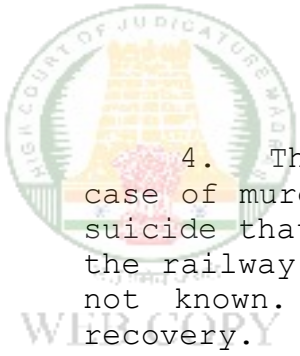
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed praying to direct the first respondent to transfer the investigation pending in Crime No.4 of 2014 from the file of the third respondent to the file of the second respondent and to direct the second respondent and investigate the same in accordance with law.

2. The petitioner is the mother of the deceased. The petitioner's son is said to have died on 19/1/2014. The body of the petitioner's son was recovered from the railway track. A case has been registered in Crime No.4 of 2014 on the file of the second respondent under Section 174 of the Code of Criminal Procedure. After investigation, it was closed as action dropped.

3. A perusal of the report would show that the deceased would appear to have died of multiple injuries and also consumed poison. Investigation so far done reveals that the deceased fell in one sided love with Arokiya Merlin, who was the classmate of the deceased and he sent a message to that girl to the effect that "This is my last message" before committing suicide.



4. The learned counsel for the petitioner submitted that it is a case of murder. It is not possible that the petitioner has not committed suicide that too after consuming poison. It is not possible to get into the railway track. How he traveled that far after poisoning himself is not known. If he has taken before the railway track, there is no recovery. He also submitted that though there is a reference about the message, the receiver of the message has not been enquired.

5. This Court is not inclined to go into the facts in detail. It appears that the girl on whom the deceased was said to have been involved with one sided love has not been enquired. It also appears that no statement is said to have been obtained from her.

6. Considering the same, this Court is inclined to transfer the investigation to some other Officer under his control of the second respondent and proceed further and the second respondent is directed to supervise and monitor the same.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Director General of Police (DGP)
Dr.Radhakrishnan Salai
Chennai.
2. The Superintendent of Police
Tirunelveli District.
3. The Inspector of Police
Railway Police Station
Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.A.Gandiappan, Advocate in SR.No. 20861

Sm:07.05.2015:2P/6C
mvs

Cr1.O.P. (MD) NO.6301 of 2014
22/4/2015