

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.18166 of 2015

M.Ulaganathan  
S/o.M.Marimuthu,  
West Seiyur,  
Seiyur Post and Taluk,  
Kancheepuram District ... Petitioner

Vs.

1. State rep by  
The Superintendent of Police,  
Kancheepuram District, Kancheepuram
- 2.The Inspector of Police,  
Seiyur Police Station,  
Kancheepuram District ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first respondent herein to transfer the investigation of the case in Crime No.263 of 2015 on the file of the second respondent to any other Inspector of Police who is having clean record in this service and also able and repute officer and file final report in accordance with law within the stipulated time.

For Petitioner : Mr.T.Muruganantham

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

सत्यमेव जयते  
ORDER

This petition is filed praying for a direction to the first respondent to transfer the investigation of the case in Crime No.263 of 2015 on the file of the second respondent to some other officer.

2. In the petition, it has been stated that the petitioner's second daughter Deepa fell in love with one Nethaji. The said Nethaji promised the said Deepa that he would marry her. On the strength of the false promise, the said Nethaji had physical relationship with her and she became pregnant. The petitioner's daughter Deepa compelled the said Nethaji to marry her. However, the said Nethaji avoided to marry her. Hence, the petitioner herein lodged a complaint as against the said Nethaji. During the course of enquiry, the

said Nethaji agreed to marry her. Based on the assurance given by him, the complaint was closed. Thereafter, once again the said Nethaji avoided to marry the petitioner's daughter Deepa and developed illicit relationship with other ladies. Hence, the petitioner's daughter Deepa committed suicide on 25.09.2015 by hanging. Thereafter, a case was registered in Crime No.263 of 2015 as suspicious death. But, there is no progress in the investigation and final report has not been filed. The contention of the petitioner is that the said accused Nethaji and his family members are moving freely and even then the second respondent has not taken any action. Hence, the petitioner has come forward with the present petition.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that initially the case was registered for the offences under section 6(4) 174 Cr.P.C (Hanging) and subsequently, the case was altered to section 306 of IPC and investigation is in progress. Thus, he opposed for granting direction.

4. In view of the submissions made by the learned Additional Public Prosecutor, I am of the view that there is no need to transfer the investigation of the case in Crime No.263 of 2015. However, the second respondent police is directed to expedite the investigation, complete the same and file a final report as early as possible, preferably within a period of four months from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते  
Sub Assistant Registrar

To

1. The Superintendent of Police,  
Kancheepuram District, Kancheepuram
  2. The Inspector of Police,  
Seiyur Police Station,  
Kancheepuram District
  3. The Public Prosecutor  
High Court, Madras.
- +1cc to Mr.T.Murugamanickam, Advocate, S.R.No.1032

MSM(CO)  
EU(27/01/2016)

CrI.O.P.No.18166 of 2015