

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.5464 of 2015

Kavitha

Petitioner

Vs

1.State rep by
Director General of Police
Kamarajar Salai, Mylapore,
Chennai.

2.Superintendent of Police
Office of Superintendent of Police
Perambalur District.

3.Sub Inspector of Police
V Kalathur Police Station
Perambalur District.

4.Deputy Superintendent of Police
Mangalamedu Sub Division
Perambalur District.

Respondents

(4th Respondent impleaded as per order
dated 11.04.2016 in CrI.MP.No.4117/2016)

Criminal Original Petition filed under Section 482 Cr.P.C., seeking direction to transfer the investigation of Cr.No.304 of 2015 for death of petitioner's daughter who was 20 years old died on 20.12.2014 in unnatural circumstance in her husband's house in Vepumthattai Taluk in Perambalur District due to cruelty meted by her for dowry which is pending before the file of third respondent to any other competent authority.

For petitioner :
For Respondents :

Ms.P.Uma
Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to transfer the investigation in Cr.No.304 of 2015 on the file of the third respondent to any other competent authority.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that the petitioner's daughter committed suicide on 20.12.2014, in connection with which a case in Cr.No.318 of 2014 was registered u/s 174(3) Cr.P.C. It is the contention of the petitioner that the respondents have not proceeded further with the investigation and therefore, she has come up with this petition seeking transfer of investigation.

4. The respondent police have filed a Status Report, wherein it is stated that the inquest in this case was conducted by the Revenue Divisional Officer, Perambalur District, and not by the police. After inquest, post-mortem and recording statement of witnesses, the respondent police have altered the case from one u/s 174(3) Cr.P.C. to one u/s 498-A and 306 IPC on 11.03.2015.

In view of the above, this Court is of the view that this is not a fit case to transfer the investigation. Accordingly, this petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

To

1.The Director General of Police
Kamarajar Salai, Mylapore,
Chennai.

2.Superintendent of Police
Office of Superintendent of Police
Perambalur District.

3.Sub Inspector of Police
V Kalathur Police Station
Perambalur District.

4. Deputy Superintendent of Police
Mangalamedu Sub Division
Perambalur District.

5. The Public Prosecutor,
High Court, Chennai.

+1 cc to M/s.P.Uma Advocate sr 44851

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