

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.OP.No.8915 of 2016

Saraswathi ... Petitioner
Vs

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

2.The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.

3.The Deputy Superintendent of Police,
CBCID Wing,
Dharmapuri,
Dharmapuri District. ... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to transfer the investigation from 2nd respondent viz., The Inspector of Police, Bommidi Police Station, Dharmapuri District, to the Deputy Superintendent of Police, CBCID Wing, Dharmapuri, Dharmapuri District in Crime No.23 of 2016 on the file of the 2nd respondent and investigate and file final report before the concerned court within stipulated time.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to transfer the investigation in Crime No.23 of 2016 from the file of the 2nd respondent to the file of the 3rd respondent and file final report before the concerned court within stipulated time.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is seen that one Vijayakumar committed suicide on 25.01.2016. On the complaint given by his father Narasimman, the respondent Police have registered a case in Crime No.23 of 2016 under Section 174 Cr.P.C. and the investigation is in progress. While so, the petitioner, who is the wife of

Vijayakumar has filed the present petition for transfer of investigation on the ground that the investigation is very perfunctory. It is the contention of the petitioner that her husband Vijayakumar left a suicide note, wherein, it is stated that one Jayagopi is responsible for his suicide.

4. On reading of the suicide note, it is stated that Vijayakumar has to get Rs.9.5lakhs from others and there is lot of debts and therefore, he has committed suicide.

5. In a case of this nature, the Court should be very slow in directing the Police to register an FIR under Section 306 IPC because, a weak person can commit suicide and blame someone else for his death. However, this Court is of the view that it will be in the interest of justice, if the Deputy Superintendent of Police, Harur is directed to monitor the investigation in Crime No.23 of 2016. Accordingly, the Deputy Superintendent of Police, Harur is directed to monitor the investigation in Crime No.23 of 2016 and the investigation be conducted in an unbiased manner.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

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

2.The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.

3.The Deputy Superintendent of Police,
CBCID Wing,
Dharmapuri,
Dharmapuri District.

4.The Deputy Superintendent of Police,
Harur.

5.The Public Prosecutor,
High Court, Chennai.

+1 cc to M/s.M.R.Jothimanian, advocate,sr.12659.

ppa(co)

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