



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.6500 of 2016

Balammal

... Petitioner

vs.

1.The Superintendent of Police
Thoothukudi District
Thoothukudi

2.The Revenue Divisional Officer
Tiruchendur Taluk
Thoothukudi District

3.The Inspector of Police
Thattarmadam Police Station
Thoothukudi District

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C., to transfer the investigation in Cr.No.82 of 2014, dated 13.03.2014, pending on the file of the third respondent to transfer the case to any other impartial investigation agency by the first respondent and to complete the investigation within the stipulated period.

For Petitioner : Mr.P.Balamurugan

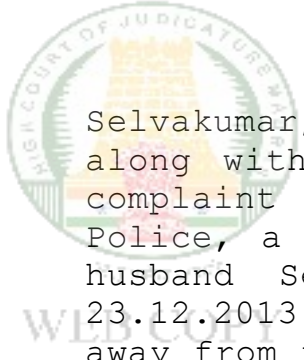
For Respondents : Mrs.S.Prabha, G.A.(Crl.Side)

O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking transfer of the investigation in Crime No.82 of 2014, from the file of the third respondent to the file of any other agency and to complete the investigation within a stipulated period.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

<https://hcservices.courts.gov.in/hcservices> seen that the deceased Selvi / daughter of the petitioner herein was married to Selvakumar and there was matrimonial dispute between them inasmuch as the sister of



Selvakumar, who is mentally challenged, was living in the house along with Selvakumar's mother. In this regard, on an earlier complaint lodged by the deceased Selvi before the respondent Police, a petition enquiry was conducted, in which Selvi and her husband Selvakumar appeared before the respondent Police on 23.12.2013 and Selvakumar undertook to establish a separate house away from the joint family and based on which the petition enquiry was closed. Thereafter, Selvi committed suicide on 13.03.2014, in connection with which a case in Crime No.82 of 2014, under Section 174 Cr.P.C., was registered and after investigation by the respondent Police, a further action dropped report has been filed before the Executive Magistrate, Sathankulam, holding that there was no dowry harassment and that Selvi had committed suicide because of family dispute.

4. Further, it is seen that the inquest in this case has been conducted by the Executive Magistrate and this Court does not find any infirmity either in the proceedings or in the findings. Under such circumstances, this criminal original petition seeking transfer of investigation is devoid of merits and it is liable to be dismissed.

5. In the result, this criminal original petition is dismissed.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Revenue Divisional Officer,
Tiruchendur Taluk, Thoothukudi District.
- 3.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.P.Balamurugan, Advocate SR.No.24367

sm:17.5.2016:2P/6C