

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.7817 of 2017

C.Alamelu

... Petitioner/3rd Party

Vs.

The State Rep. by

The Inspector of Police,

Town Police Station,

Hosur,

Krishnagiri District.

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction to transfer the investigation in Crime No.392 of 2016 on the file of the respondent.

For Petitioner : Mr.E.Ezhil Caroline

For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed to transfer the investigation in Crime No.392 of 2016 pending on the file of the respondent police to any other agency including the Central Bureau of Investigation.

2. The case of the petitioner is that on 15.06.2016, she was informed by the respondent police that her son has been admitted in the hospital for injuries due to some quarrel between her son and his friends. But she and her relatives went to meet her son, they were not allowed to meet him for the whole day. On 16.06.2016, they were informed that her son had died and his body was kept in the Mortuary at the Government Hospital, Krishnagiri. When they rushed to the hospital, they found the dead body of her son with lot of injuries all over the body. The respondent police had informed her that a case has been registered and soon the accused will be arrested. Believing the words of the respondent police, the body was cremated according to their rituals. But on enquiry, she came to know that her son Moorthy has been falsely implicated in a

case, where one Sub-Inspector of Police viz., Nagaraj attached to the respondent Police Station was attacked by four persons and his son has been implicated as one of the accused. A case was registered against her son in Cr.No.391 of 2016 and on arresting the accused, her son had attacked the head constable attached to the respondent police. Hence, he was brutally beaten by the Sub-Inspector of Police with lathi and due to that his son has got injuries and then he was taken to a hospital at Hosur and after treatment, he was brought to the respondent police station. After getting his confession statement, they took him to arrest the other accused, where on the way he had chest pain and was taken to Government Hospital, Hosur at 4.00 a.m., where he was declared that he has succumbed to chest pain. According to the petitioner, the respondent police has hidden the entire facts and hence, the petitioner has come forward with the present petition to transfer the case to some other agency or CBI to investigate in a fair manner and to file a final report.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that the case in Crime No.392 of 2016, had already been transferred to Crime Branch-CID, Krishnagiri District, vide C.No.C1/10228/2016 dated 26.06.2016

4. Recording the said submission made by the learned Additional Public Prosecutor, the criminal original petition is disposed of.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

1. The Inspector of Police,
Town Police Station,
Hosur,
Krishnagiri District.
2. The Crime Branch-CID
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.7817 of 2017

NRJK(CO)
NR 07/08/2017