

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 01.08.2017****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****Crl.O.P.No.20031 of 2016**

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Petitioner

Vs.

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

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

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Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent herein to re-investigate the complaint by some other police official other than the respondent police.

For Petitioner : Mr.R.Ramesh Raja

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor

ORDER

This petition is filed seeking a direction to the first respondent herein to re-investigate the complaint by some other police official other than the respondent police.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing on behalf of the respondents.

3. This Criminal Original Petition was listed before this Court on various occasions and the second respondent police was directed to file his counter. Though the learned Additional Public Prosecutor had sent communication to the second respondent for filing counter, no counter has been filed till date.

4. From the averments in the complaint, it is seen that the petitioner has specifically alleged that her son-in-law, Venkatachalam was responsible for the death of her daughter. The petitioner has also stated in the petition that though she had been insisting upon to furnish her a copy of the Postmortem Report, the

second respondent was denying the same and further submits that the second respondent has colluded with the petitioner's son-in-law.

5. Since the petitioner had raised some allegations against the second respondent, I am of the view that it would not be appropriate for the second respondent to continue with the investigation in Crime No.367 of 2017. Hence, the first respondent is hereby directed to transfer the investigation in Crime No.367 of 2017 to any other Inspector of Police, within the said jurisdiction and direct him to conduct the investigation in Crime No.367 of 2017 based on the petitioner's complaint dated 04.07.2016. However, the said investigation shall be conducted under the supervision of the first respondent herein. The first respondent shall also ensure that the investigation is completed as expeditiously as possible preferably, within a period of three months from the date of receipt of a copy of this order.

With the above observation, this Original Petition stands allowed.

01.08.2017

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M.S.RAMESH, J.

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To

- 1.The Superintendent of Police,
Dharmapuri District.
Dharmapuri.
2. The Inspector of Police,
Kalimangalam Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.



CrI.O.P.No.20031 of 2016

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