



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.05.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.21255 of 2014
& Cr1.M.P. (MD) No.1 of 2014

Paramasivam

... Petitioner

-vs-

- 1.The Director General of Police,
Office of the Director General of Police,
Beach Road,
Chennai.
 - 2.The Additional Director General of Police,
(CBCID)
Office of the Additional Director General of Police(CBCID),
Chennai.
 - 3.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, New Natham Road,
Madurai.
 - 4.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.
 - 5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ottanchathiram Range,
Dindigul.
 - 6.The Inspector of Police,
Chathiraipatty Police Station,
Dindigul District.
- ...Respondents

Prayer: Criminal Petition filed under Article 482 of the code of the Criminal Procedure of the Constitution of India, to direct the Respondent No.1 to withdraw the case in Crime No.156 of 2014 on the file of the Respondent No.6 and entrust the same to the respondent No.2 for complete the investigation and file charge sheet within the time stipulated by this Court.



For Petitioner : Mr.R.Alagumani
For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl. Side)
For Intervenor : Mr.S.Lenin Prabu

ORDER

It is seen that the petitioner's son's body was found in a Well, pursuant to which, a case in Crime No.156 of 2014 was registered by the respondent police under Section 174 Cr.P.C. While so, the petitioner is now before this Court for transfer of investigation in Crime No.156 of 2014, on the ground that the investigation is not being conducted properly by the police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. Learned Government Advocate (Crl.Side) submitted that a thorough investigation was done in Crime No.156 of 2014 and it was found that the petitioner's son has gone to secretly meet her lover Bhuvaneswari. While they were in the backyard of Bhuvaneswari's house, they were noted by some people and in order to escape detection, the petitioner's son ran, fell into a Well in the darkness and died. Therefore, the Police have closed the case on 13.04.2017.

4. On perusal of the postmortem report, it does not disclose any serious external injury of violence on the body of the deceased. Of course, there is a head injury on account of fall in the drained well and the deceased is said to have died on account of shock and hemorrhage.

5. In the considered opinion of this Court, this is not a fit case to order transfer of investigation. However, the Police are directed to file a closure report before the learned Judicial Magistrate, Ottanchathiram and liberty is given to the petitioner to file a protest application before the said Magistrate within four weeks from the date of receipt of a copy of this order.

6. With the above observation, this petition is closed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

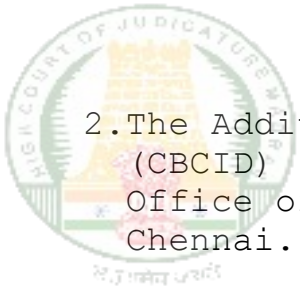
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Sub Assistant Registrar

To:

1.The Director General of Police,

<https://hcserv06.ecourt.gov.in/hcselive/> Director General of Police,
Beach Road, Chennai.



- 2.The Additional Director General of Police,
(CBCID)
Office of the Additional Director General of Police (CBCID),
Chennai.
- 3.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, New Natham Road,
Madurai.
- 4.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.
- 5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ottanchathiram Range, Dindigul.
- 6.The Inspector of Police,
Chathiraipatty Police Station,
Dindigul District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

AR/SM

PSM/RSK/12.05.2017/3P/8C

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& Crl.M.P. (MD) No.1 of 2014
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