

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 15.03.2017****CORAM:****THE HONOURABLE MR.JUSTICE P.N.PRAKASH****CRL.O.P. (MD) No.2880 of 2017****WEB COPY**

Rajammal

: Petitioner/petitioner

-Vs-

1.The Superintendent of police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of police,
Nazareth police station,
Nazareth,
Thoothukudi District.

: Respondents/Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the 1st respondent police to transfer the further investigation in the FIR in Crime No.295/16 dated 13.12.2016 from the file of the 2nd respondent police to any other independent agency on the basis of the petitioner representation dated 02.01.2017.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Crl. Side)

O R D E R

On the complaint given by one Uchimahali, the second respondent police registered a case in Crime No.295 of 2016 dated 13.12.2016, under section 174 of Cr.P.C., relating to the death of one Murugan. This petition has been filed by the widow of the deceased Murugan for transfer of investigation in Crime No.295 of 2016 from the file of the second respondent to any other independent investigating agency.

2.Heard Mr.M.P.Senthil, the learned counsel appearing for the petitioner and Mr.A.P.Balasubramani, the learned Government Advocate appearing for the respondents.

3.The learned Government Advocate appearing for the respondents on instruction submitted that the investigation in Crime No.295 of 2016 was completed and the case has been closed as action dropped and the report dated 02.01.2017, has been submitted

to the Tahsildar/Executive Magistrate, Tiruchendur.

4. In view of the above, this Court directs the Tahsildar, Tiruchendur to take photo copies of the records in Nazereth Police Station in Crime No.295 of 16 and after retaining the photocopies send the originals to the learned Judicial Magistrate, Sathankulam, within two weeks from the date of receipt of a copy of this order. The learned Judicial Magistrate shall furnish copies of the closure report, post-mortem report and other relevant records to the petitioner. Liberty is given to the petitioner to file protest petition before the learned Judicial Magistrate, Sathankulam. The Registry is directed to mark copy of this order to the Judicial Magistrate, Sathankulam and the Tahsildar, Tiruchendur.

5. With the above directions, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Sathankulam.
2. The Tahsildar,
Tiruchendur.
3. The Superintendent of police,
Thoothukudi District,
Thoothukudi.
4. The Inspector of police,
Nazareth police station,
Nazareth,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sj
AE/MR/27.03.2017/2P/6C

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15.03.2017