



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH**Cr1.O.P. (MD) No. 3280 of 2017**

Rajendran : Petitioner / Defacto Complainant

Vs.

1. The Inspector General of Police,
Office of the Inspector General of Police,
South Zone,
Madurai.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

3. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

4. The Inspector of police,
C.B.C.I.D Wing,
Virudhunagar District.

: Respondents/Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to issue a direction to the 1st respondent to direct the 2nd and 3rd respondents to withdraw the investigation in Crime No.157 of 2016 for offence under Section 174 of Cr.P.C and entrust the investigation to the Inspector of Police, CBCID, Virudhunagar District.

For Petitioner : Mr.R.Udhayakumar
For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side)

O R D E R

The petitioner's son Mareeswaran was found hanging in a banyan tree on 28.11.2016 and on the complaint given by the petitioner, the respondent police have registered a case in Crime No.157 of 2016 for an offence under Section 174 of the Code of Criminal Procedure. Now, the petitioner is before this Court for transfer of investigation on the ground that the investigation is not being done properly by the respondent police.



2. Heard Mr.R.Udhayakumar, learned counsel for the petitioner and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the respondents. Today, Mr.Augustin Paulraj, Special Sub-Inspector of Police, Narikudi Police Station, is present in Court.

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3. On a reading of the complaint given by the petitioner, which formed the basis of First Information Report in Crime No.157 of 2016, it is seen that the petitioner has not made any allegation against any one. He has only stated that he received information from one Chellam that his son was found hanging in a banyan tree near Karuppanasamy Temple in the outskirts of the Village and on going there, he saw it and informed the police. Subsequently, the petitioner has given a representation dated 10.12.2016 to the Inspector of Police, suspecting the involvement of one Murugan and Senthil in the offence.

4. On a perusal of the case diary, it is seen that the post-mortem has been conducted on the body of the deceased Mareeswaran and viscera report is awaited. The post-mortem report does not show any external injuries, apart from the ligature mark around the neck of the deceased.

5. Be that as it may, this Court is of the view that it will serve the interest of justice, if the Deputy Superintendent of Police, Thiruchuzhi Sub-Division, is directed to monitor the investigation that is being conducted by the Inspector of Police, Narikudi Police Station in Crime No.157 of 2016 and keep the petitioner informed of any important development in the case.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone,
Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The Deputy Superintendent of Police,
Thiruchuzhi Sub Division.



4.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

5.The Inspector of police,
C.B.C.I.D Wing,
Virudhunagar District.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.R.Udhayakumar, Advocate, SR No. 16666
MR/SML
PSM/RR/03.04.2017/3P/8C

Order made in
Crl.O.P. (MD) No.3280 of 2017
Dated: 22.03.2017