



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.06.2017

CORAM:

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD)No.7240 of 2017

N.Komban : Petitioner/Aggrieved Person

-Vs-

1. The State represented by
The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.99 of 2017)

3. The Inspector of Police,
C.B.C.I.D. Wing,
Tirunelveli.

: Respondents/Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to transfer the investigation in Crime No.99 of 2017 from the file of the second respondent to the file of the third respondent and consequently direct the third respondent to conduct proper investigation in an expeditious manner.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondents : Mr.K.Anbarasan
Government Advocate(Crl.Side)

O R D E R

The deceased Ayyamperumal is the husband of Petchiammal. Both were living in Indra Colony, Suthamalli. It is the case of Petchiammal that her husband would come drunk every other day and fight with her. On 13.04.2017, it is stated that he came drunk and picked up a quarrel with her and pushed her out of house and Petchiammal slept in the verandah. On the next day, ie., on 14.04.2017, when Petchiammal wanted to go into the house, the house was locked inside and her husband did not open the door. She noticed that her husband was hanging. On the complaint of Petchiammal, the police registered a case in Cr.No.99 of 2017 on 14.04.2017 under Section 174 Cr.P.C.



2. The petitioner is the father of the deceased Ayyamperumal and has preferred this petition by stating that the case should be transferred for investigation as he suspects foul play in the death of his son Ayyamperumal.

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3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

4. A reading of the postmortem shows as under:

"THE FOLLOWING ANTE MORTEM INJURIES WERE NOTED:

An incomplete oblique ligature mark of size 28x5-11 cm seen in upper part of neck with a gap of 10cms between the ends. The ligature mark lies 5cm below left ear, 3cms below chin and 5cms below left ear. The ligature mark is broad in front of neck (11cms) and 5 cm below ears. Three finger impression of size 4 x 1cm seen in front of neck. The skin of the ligature mark found peeled and dark in colour. On bloodless dissection of neck, underlying soft tissues appears pale and there is no extravasation of blood in surrounding soft tissues.

OTHER FINDINGS:

Heart: Normal and coronary vessels patent.

Hyoid bone: Intact.

Stomach: Contains 50gms of partially digested food particles, no specific smell and mucosa congested.

Lungs, Liver, Spleen, Kidneys and Brain: Normal, c/s congested.

Small Intestine: Contains 50gms of partially digested food particles, no specific smell and mucosa congested.

Bladder: Contains 20ml of urine.

OPINION AS TO THE CAUSE OF DEATH:

THE DECEASED WOULD APPEAR TO HAVE DIED OF ASPHYXIA DUE TO HANGING."

5. Under such circumstances, this Court does not find anything suspicious in the death of Ayyamperumal warranting transfer of investigation.

6. In the result, this Criminal Original Petition is devoid of merits and hence, the same is dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/



To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.

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

Ssl

AE/MR/SAR3/23.06.2017/3P/4C

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