



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.05.2017

CORAM:

WEB COPY

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

CrI.O.P.(MD) No.23151 of 2016

Arigopalan :Petitioner/De-facto complainant

-vs-

1. The State Rep. By
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District. : 1st respondent/Complainant

2. The Deputy Superintendent of Police,
CBCID, Tirunelveli Circle,
Tirunelveli District. : 2nd Respondent/Proposed
Investigating Agency

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the investigation in connection with Crime No.478 of 2016 on the file of the Inspector of Police, Suchindram Police Station, Kanyakumari District, to be withdrawn and transfer to any other agency more particularly the Deputy Superintendent of Police, CBCID, Tirunelveli Circle, Tirunelveli District, forthwith.

For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.K.Anbarasan,
Govt. Advocate (CrI.Side)

O R D E R

Pursuant to the death of one Radha, the first respondent police registered a case in Crime No.478 of 2016 under Section 174 Cr.P.C, dated 13.11.2016.

2.The petitioner, who is the brother of Radha is not satisfied with the progress of the investigation in Crime No.478 of 2016 and therefore, this petition has been filed for transfer of the investigation.

3.Heard Mr.S.Palani Velayutham, learned counsel appearing for the petitioner and Mr.K.Anbarasan, learned Government Advocate (CrI.Side) appearing for the State.



4. Mrs. C. Pongeetha, Sub Inspector of Police, Suchindram Police Station, Kanyakumari District is present. On instructions, learned Government Advocate (Criminal side) submitted that the investigation in Crime No. 478 of 2016 has been completed and the case has been closed as "Action Dropped". A copy of the closure report is furnished to the learned counsel for the petitioner across the bar.

5. It is seen that the deceased Radha had gone to Tamil Nadu Mercantile Bank, on 11.11.2016 during demonetization time and taken cash and returned home. Thereafter, it is alleged that the Bank officials came to the house of Radha and asked her to return the cash and therefore, she committed suicide. The police submitted the CCTV footage of the Tamil Nadu Mercantile Bank, dated 12.12.2016 for the perusal of this court.

6. In the opinion of this Court, in every case of suicide, it is not necessary that some one must be prosecuted and punished. A weak-minded person will commit suicide for flimsy reasons, for which, all and some cannot be prosecuted. Hence, this petition is closed with liberty to the petitioner to file a protest application before the concerned jurisdictional Magistrate, within a period of four weeks from the date of receipt of a copy of this order and on such application being filed, the same shall be dealt with in accordance with law laid down by the Hon'ble Supreme Court in of Vinay Tyagi vs. State of U.P. and others, reported in Laws (All)-2010-8-369.

7. With the above observation and direction, this petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar.

To:

1. The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
2. The Deputy Superintendent of Police,
CBCID, Tirunelveli Circle,
Tirunelveli District.
3. The Additional Public Prosecution,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. S. PALANI VELAYUTHAM, Advocate, SR.No.55568