



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR****CRL OP (MD) No. 4695 of 2016**

M.Selvaraj

: Petitioner

Vs.

1.Home Secretary,
The Government of Tamil Nadu,
Fort.St.George, Chennai-600 009.

2.The Director General of Police,
O/o. Director General of Police,
Kamarajar Road, Chennai.

3.The Superintendent of Police,
Dindigul District.

4.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
(Crime No.599 of 2011)

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to transfer the investigation in Cr.No.599 of 2011 dated 25.10.2011 pending on the file of the 4th respondent to CBCID or any other impartial investigation agency within the stipulated period.

For Petitioner : Mr.P.Balamurugan

For Respondents : Mr.K.Anbarasan,
Government Advocate(Crl.Side).**O R D E R**

This Criminal Original Petition is filed for transferring the investigation in Crime No.599 of 2011 dated 25.10.2011 pending on the file of the 4th respondent to CBCID or any other impartial investigation agency within the stipulated period.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.side) appearing for the respondents.

3. The case of the petitioner is that his first son namely, Arulselvam was doing real estate business. It is represented that the petitioner's son informed his family that he is going to Kodaikanal for doing some real estate business on 22.0.2011, but, he never returned back. The petitioner admitted that even though the



skeleton which was found in Kodaikanal was found earlier and the dress found along with the skeleton matched the petitioner's first son's dress, the death of the petitioner's first son was confirmed after taking a long time.

4. The third respondent has filed the status report with regard to information he has gathered so far. Though several information are given to this Court by the third respondent, the information so far collected by the third respondent does not point out any one, who is involved.

5. Having regard to the peculiar nature of this case and that the investigation is pending for more than 6 years without progress what is reiterated in the status report is not proper and the third respondent has not inspired this Court by coming up with any good reasons for this enormous delay. Hence, this Court is inclined to transfer the investigation.

6. In these circumstances, investigation by CBCID will be appropriate at least to identify the culprits and the various facts that lead to the killing of the petitioner's son.

7. In the result, this petition is allowed. The investigation in respect of Crime No.599 of 2011 is transferred to the Inspector of Police, CBCID, Dindigul. The third respondent is also directed to supervise the investigation at least on monthly basis so that the department machinery should be fully used for solving the long pending crime. The third respondent is directed to co-operate by giving all the documents, materials, which were gathered by him, to the Inspector of Police, CBCID, Dindigul, within a period of 10 days from the date of receipt of copy of this order.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.Home Secretary, The Government of Tamil Nadu,
Fort.St.George, Chennai-600 009.
 - 2.The Director General of Police,
O/o. Director General of Police,
Kamarajar Road, Chennai.
 - 3.The Superintendent of Police, Dindigul District.
 - 4.The Inspector of Police, Kodaikanal Police Station,
Dindigul District.
 - 5.The Inspector of Police, CBCID, Dindigul.
 - 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to Mr.P.BALAMURUGAN Advocate in SR. No.70847

CM