



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P. (MD) No.3237 of 2017 and
W.M.P. (MD) No.2570 of 2017

N.Pitchai

... Petitioner

-vs-

1. The Director General of Police,
Tamil Nadu, Mylapore,
Chennai-4.2. The Superintendent of Police,
CBCID, Chennai.3. The Inspector of Police,
Veerapandi Police Station,
Theni District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 1st Respondent to transfer the investigation in respect of Crime No.432 of 2016 pending on the file of 3rd Respondent Police to 2nd Respondent CBCID and pass such other orders as this Honble Court may deem fit and thus render justice.

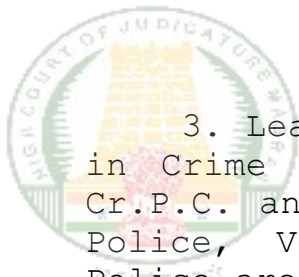
For Petitioner : Mr.R.Murali

For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the 1st Respondent to transfer the investigation in respect of Crime No.432 of 2016 pending on the file of 3rd Respondent Police to 2nd Respondent CBCID.

2. It is the case of the petitioner that his son by name Tamilselvan, was studying in 10th standard in Velammal Matriculation School Madurai and was a hosteler. He died on 22.10.2016 and the petitioner suspects a foul play in his death. Therefore, the petitioner is before this Court for transfer of



3. Learned Additional Government Pleader submitted that a case in Crime No.432 of 2016 has been registered under Section 174 Cr.P.C. and the investigation has been taken by the Inspection of Police, Veerapandi Police Station. After the postmortem, the Police are awaiting the Viscera report.

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4. Under such circumstances, this is not a fit case for transfer of investigation at this stage to the CBCID as prayed for by the petitioner and it would serve the interest of justice, if the Deputy Superintendent of Police, Theni Sub-Division is directed to monitor the investigation being conducted in Veerapandi Police Station Crime No.432 of 2016. In the event of the Police closing the case, a copy of the closure report shall be furnished to the petitioner and the same shall be filed before the learned Judicial Magistrate No.II, Theni so that the petitioner can file a protest application, if he is aggrieved.

With the above direction, this petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To:

1. The Judicial Magistrate No.II,
Theni.
 2. The Director General of Police,
Tamil Nadu, Mylapore, Chennai-4.
 3. The Superintendent of Police,
CBCID, Chennai.
 4. The Deputy Superintendent of Police, Theni Sub-Division.
 5. The Inspector of Police,
Veerapandi Police Station, Theni District.
- +One cc to The Special Government Pleader, SR.No.53126
+One cc to Mr.R.Murali, Advocate, SR.No.52888

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RL/8C/2P/MR/SAR3/12.5.2017

W.P.(MD) No.3237 of 2017

and

W.M.P.(MD) No.2570 of 2017

19.04.2017