

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.10764 of 2018

K.Ramalingam

..Petitioner/Defacto
Complainant

Vs

1.The Inspector of Police
Vellakoil Police Station
Tiruppur District. (Crime No.84 of 2018)

2.Superintendent of Police
Tiruppur District
Tiruppur. ..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to transfer the investigation of the above case in Crime No.84 of 2018 from the file of the Inspector of Police, Vellakoil Police Station, Tiruppur District to the file of the 2nd respondent herein viz., the Superintendent of Police, Tiruppur District, or to any other investigating agency having competent jurisdiction to investigate the matter for proper investigation and report.

For Petitioner : Mr.A.Arasu Ganesan
For Respondents : Mr.C.Raghavan
Govt. Advocate (Crl. Side)

O R D E R

This petition is filed to transfer the investigation of the case in Crime No.84 of 2018 from the file of the Inspector of Police, Vellakoil Police Station, Tiruppur District to the file of the 2nd respondent herein viz., the Superintendent of Police, Tiruppur District, or to any other Investigating Agency having competent jurisdiction to investigate the matter for proper investigation.

2. Pursuant to the sudden death of one Manaimala, a Staff Nurse, on the complaint given by her father Ramalingam viz., petitioner herein, the first respondent has registered a case in Crime No.84 of 2018, on 11.02.2018 under Section 174 Cr.P.C. Not satisfied with the progress of the investigation, the petitioner is before this Court seeking transfer of investigation.

3. Heard Mr.A.Arasu Ganesh, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing for the respondents.

4. The first respondent, Inspector of Police, Vellakoil Police Station, Tiruppur District has filed a Status Report, wherein, in paragraphs 7 to 9, it is stated as follows:

"7. I submit that during the course of investigation, I have sent the Viscera samples and Hyoid bone to Regional Forensic Science Laboratory, Coimbatore and also pathology samples to Medical College Hospital, Coimbatore. Then on 15.06.2018, I have obtained Post Mortem Certificate with Final Opinion from the Post Mortem Doctor namely Dr.R.Mogudeeswaran, Assistant Surgeon, Government Hospital, Kangayam, the casued of the death "the deceased would appear to have died of asphyxia due to hanging.

8. I submit that as this stage pending investigation, now the petitioner/defacto complainant filed this present petition, to transfer the investigation of the above case in Crime No.84 of 2018 from the file of the Inspector of Police, Vellakovil Police Station, Tiruppur District to the file of the 2nd respondent viz., the Superintendent of Police, Tiruppur District or to any other investigating agency having competent jurisdiction to investigate the matter for proper investigation.

9. I submit that on 05.06.2018, a suicide note which was said to be written by the deceased was handovered by one Yuvaraj who is working as a hospital accountant, further statement was also recorded from him. The said suicide note will be sent to handwriting experts for expert opinion and reports has to be obtained and this case is under investigation."

5. In view of the above, this Court does not find remiss in the investigation for transferring the case to any other Investigating Agency. However, the Deputy Superintendent of Police, in charge of Vellakovil Police Station is directed to monitor the investigation that is being conducted by the Inspector Police, Vellakovil Police Station in Crime No.84/2018.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police
Vellakoil Police Station
Tiruppur District. (Crime No.84 of 2018)

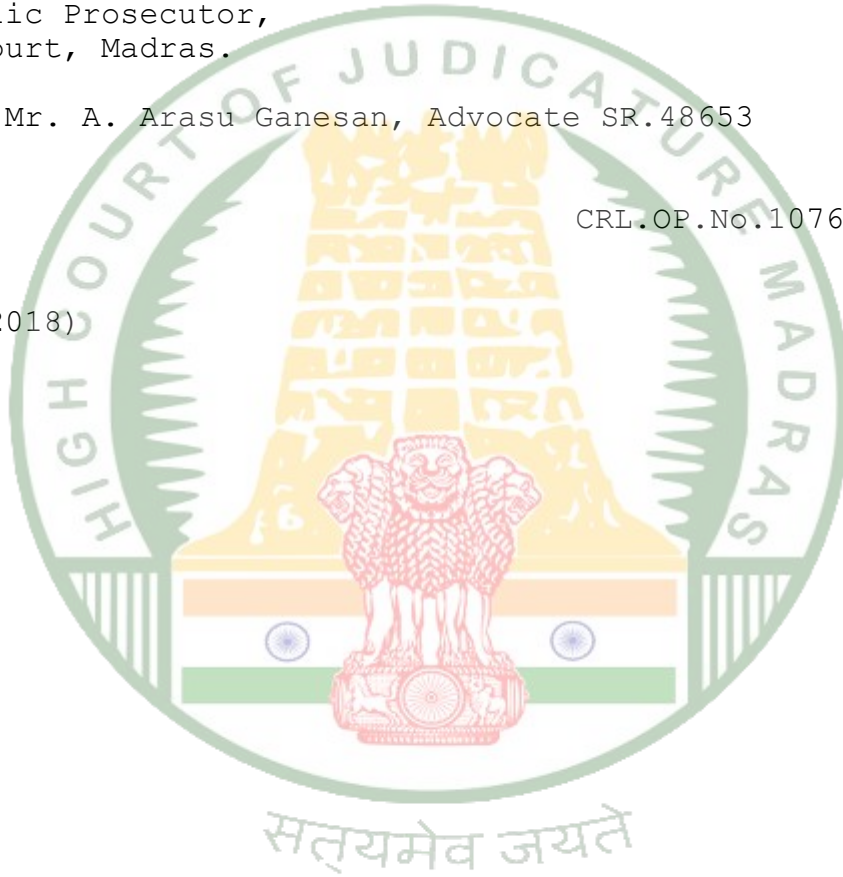
2.The Superintendent of Police
Tiruppur District
Tiruppur.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr. A. Arasu Ganesan, Advocate SR.48653

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GJ-II(CO)
EU(06/08/2018)



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