

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.12200 of 2018
and
Cr1.MP.No.6470 of 2018

J.Elango

...Petitioner

Vs.

1.The Director General of Police
Kamarajar Salai,
Mylapore, Chennai-600 004.

2.The Inspector General of Police
Idol Wing,
Thiru-Vi-Ka Industrial Complex
Guindy, Chennai-600 032.

3.The Superintendent of Police
Salem District
Salem.

4.The Inspector of Police
Deevittipatti Police Station
Salem District.

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C seeking a direction to the first respondent to withdraw the investigation in Crime No.278 of 2016 from the 4th respondent and to transfer the same to the 2nd respondent for fair and proper investigation.

For Petitioner : Mr.N.Manokaran

For Respondents : Mrs.Kritika Kamal.P.
Government Advocate (Cr1. Side)

O R D E R

This criminal original petition has been filed seeking a direction to the first respondent to withdraw the investigation

in Crime No.278 of 2016 from the 4th respondent and to transfer the same to the 2nd respondent for fair and proper investigation.

2. On a complaint lodged by one Kathiresan, the respondent police have registered a case in Crime No.278 of 2016 on 13.06.2016 for the offences under Sections 279, 337 and 304(A) IPC. It is the case of the de facto complainant that there was a stone in his kidney and wanted to undergo treatment in CMC Hospital, Vellore and he called his friend Ramkumar, who told that he will take the de facto complainant to CMC Hospital, Vellore. Ramkumar was driving a vehicle bearing Registration No.TN-36-S-8923, belonging to one Ramachandran. While, he was proceeding to CMC Hospital, Vellore, an accident took place, in which, the car hit a lorry and the said Ramkumar died. The de facto complainant also suffered serious injuries in the accident. During the investigation, it came to light that Ramkumar had not driven the vehicle properly and therefore, the police have closed the case. Now, it is the grievance of the petitioner that the death of Ramkumar was not on account of accident, but, on account of dispute with regard to Vinayagar Idol.

3. Heard Mr.N.Manokaran, learned counsel for the petitioner, who submitted that the petitioner is the brother of Ramkumar.

4. On a careful reading of FIR and other documents, this Court does not find any suspicion in the death of Ramkumar warranting interference by this Court.

Hence, this is not a fit case to transfer the investigation. Accordingly, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

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To

1.The Director General of Police
Kamarajar Salai,
Mylapore, Chennai-600 004.

2.The Inspector General of Police
Idol Wing,
Thiru-Vi-Ka Industrial Complex
Guindy, Chennai-600 032.

3.The Superintendent of Police
Salem District, Salem.

4.The Inspector of Police
Deevittipatti Police Station
Salem District.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.30980

Crl.O.P.No.12200 of 2018

KJI (CO)
CS/11/05/18



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