



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.11129 of 2018

Devi

... Petitioner

Vs.

1. The Superintendent of Police,  
Madurai District,  
Madurai.

2. The Deputy Superintendent of Police,  
Usilampatty,  
Madurai District.

3. The State through  
The Inspector of Police,  
Checkkanurani Police Station,  
Madurai District.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to transfer the case in Crime No.73 of 2018 on the file of the third respondent to any other competent investigation agency.

For Petitioner : Mr.R.Manoharan,

For Respondents : Mr.K.Suyambulinga Bharathi,  
Government Advocate (Crl.side)

### O R D E R

This application has been filed seeking for a direction, directing the second respondent to transfer the case in Crime No.73 of 2018 on the file of the third respondent to any other competent investigation agency.

2.The learned counsel appearing for the petitioner would submit that the case has been registered in Cr.No.73 of 2018, on 14.02.2018 under Section 174 Cr.P.C., but the third respondent has not conducted a fair investigation and therefore, the petitioner



has filed the present Criminal Original Petition for the above relief.

3.The learned Government Advocate (Crl.side) would submit that the case has been registered in Cr.No.73 of 2018 on 14.02.2018 and the investigation has been conducted by the respondent police and post mortem certificate has also been obtained and thereafter, the complaint was closed as "further action dropped". Therefore, nothing survives for adjudication in the present application filed by the petitioner.

4.Recording the above submission made by the learned Government Advocate (Crl.side), this Criminal Original Petition is dismissed with liberty to the petitioner to make her objection before the concerned Court.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Madurai District,  
Madurai.
2. The Deputy Superintendent of Police,  
Usilampatty,  
Madurai District.
3. The Inspector of Police,  
Checkkanurani Police Station,  
Madurai District.
4. The Additional Public Prosecutor,  
Madurai Bench of the Madras High Court,  
Madurai.

**Am**

**AE/PN/SAR3/16.07.2018/2P/5C**

**Cr1.O.P. (MD) .No.11129 of 2018**  
**05.07.2018**