



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.18400 of 2018

and

W.M.P. (MD) Nos.16290 to 16292 of 2018

WEB COPY

M.Veerapandi

...Petitioner

Vs.

1. The Government of Tamilnadu,
Represented by its Chief Secretary,
Secretariat, Chennai - 09.
2. The Director General of Police,
Beach Road, Chennai.
3. The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
4. The Inspector of Police,
CBCID, Ramanathapuram District.
5. The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
(Crime No,93 of 2018)
6. The Sub-Inspector of Police,
Uthirakosamangai Police Station,
Ramanathapuram District.
(Crime No.31 of 2018)

7.Vivekanandan

8.Sadamuni

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.3, to transfer the case in crime no.31 of 2018 dated 11.07.2018 and in crime No.93 of 2018 dated 13.07.2018 on the file of the respondent No.6 and No.5 respectively to respondent No.4 for investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time period stipulated by this Court.

For Petitioner
For R1 to R6

:Mr.T.Thirumurugan
:Mr.B.Bhagawathi
Government Advocate

**ORDER**

The petitioner in this case, is the father of one Malathi. On 29.06.2018, the petitioner's daughter left home at about 08.30.p.m, to the Government Hospital, Ramanathapuram for taking treatment and she has not returned back home. Immediately, the petitioner's wife lodged a complaint before the sixth respondent and the same was registered in Crime No.31 of 2018 as a woman missing case. Subsequently, on 13.07.2018, the Sub-Inspector Police belonging to the fifth respondent Police Station, received an information to the effect that an unidentified skeleton, which was burnt till the hip with burnt skin is found near the railway track along with the burnt clothes.

2. Based on this information, an F.I.R., was registered in Crime No.93 of 2018. It is the case of the petitioner that subsequently, neither the fifth respondent nor the sixth respondent carried out any investigation in this case. In spite of the petitioner and his wife providing with a lot of details with regard to the suspected persons, who are involved in this ghastly murder of the daughter of the petitioner. Since no action has been taken, the petitioner has lost confidence in the both fifth and sixth respondents and has approached this Court, as the last resort seeking for transfer of case to an independent agency.

3. The learned counsel for the petitioner would submit that in this case, the respondent police are totally insensitive to the entire matter and no investigation had been done and due to the lapse of time, there is every chance of the evidence getting erased.

4. The learned Government advocate would submit that taking into consideration, the seriousness of the case and also of the fact that the investigation has not been properly carried out by the police, the third respondent namely the Superintendent of Police, Ramanathapuram District by his proceedings dated 19.07.2018 has transferred the entire file from the fifth respondent and handed over the case to the Deputy Superintendent of Police, PEW, Paramakudi Sub Division. Subsequent to the said proceedings, the entire CD file has been handed over to the Deputy Superintendent of Police. From the files, it is seen that the police are awaiting DNA report from Forensic Lab in Madurai and also superimposition report from Chennai.

5. In view of this subsequent development, this Court directs the Superintendent of Police, Ramanathapuram District to supervise the investigation conducted by the Deputy Superintendent of Police, PEW, Paramakudi Sub Division and ensure that all the leads that are provided by the petitioner in his representation are thoroughly investigated and the culprits are brought to book.



6. It is seen that a ghastly crime has been committed in this case and the culprits have gone to the extent of burning the poor and hapless girl and her body was found in a completely burnt condition.

7. This Court hopes that the Superintendent of Police and the Deputy Superintendent of Police, Paramakudi Sub Division take immediate action and take the investigation further by arresting the accused persons and bring confidence to the petitioner in the criminal investigation system.

8. Therefore, this Court directs the Superintendent of Police, Ramanathapuram District to effectively supervise the investigation conducted by the Deputy Superintendent of Police, PEW, Paramakudi Sub Division and proceed further with the investigation effectively and file a final report as expeditiously as possible.

9. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Chief Secretary to Government,
Government of Tamilnadu,
Secretariat, Chennai - 09.
2. The Director General of Police,
Beach Road, Chennai.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Ramanathapuram District.
4. The Inspector of Police,
CBCID, Ramanathapuram District.
5. The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
6. The Inspector of Police,
Uthirakosamangai Police Station,
Ramanathapuram District.



7.The Deputy Superintendent of Police,
PEW, Paramakudi Sub Division,
Ramanathapuram District.

+1cc to Mr.T.Thirumurugan, Advocate Sr.No.79923
+1cc to Spl.Government Pleader Sr.No.80268

DAS

VB/SKN/SAR1/11.09.2018/4P/10C

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