



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P. (MD) .No.20312 of 2018

Dharmalingam

... Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District.

2. The Inspector of Police,
Elanjembur Police Station,
Ramanathapuram District.
Crime No.48/2017.

3. The Inspector of Police,
CBCID,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to withdraw the case in Crime No.48/2017 pending on the file of the second respondent and to transfer the same to the third respondent or some other competent agency to conduct fair investigation in Crime No.48/2017.

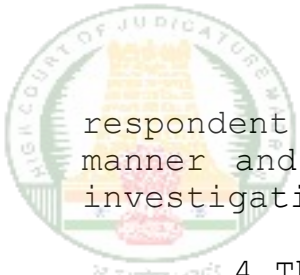
For Petitioner	:Mr.S.Satheesh Kumar
For Respondents	:Mr.A.Robinson
	Government Advocate (crl.side)

O R D E R

This petition has been filed to withdraw the case in Crime No.48 of 2017 pending on the file of the second respondent and to transfer the same to the file of the third respondent or some other competent agency, to conduct fair investigation.

2.Heard learned counsel for the petitioner and learned Government Advocate (Criminal Side) for the respondents.

3.The learned counsel for the petitioner would submit in respect of death of his daughter in a suspicious circumstances, on 08.12.2017, a complaint was given by the petitioner to the second respondent police. Though the case has been registered for the offence under Section 174 of Cr.P.C. in Crime No.48 of 2017, the



respondent police have not conducted investigation in a proper manner and thereby, the petitioner has sought for transferring of investigation.

4. The learned Government Advocate (Criminal Side) would submit that investigation has been completed and final report has been filed as "dropping all further action" on 01.08.2018 and the final report has also been served on the Sub Divisional Magistrate/Revenue Divisional Officer, Paramakudi and has also produced a copy of the receipt for submission of the final report before the Revenue Divisional Officer, on 20.09.2018.

5. As per the Judgment of this Court made in CrI.O.P.(MD) Nos.15515 and 11764 of 2017 and 11802 of 2018, dated 17.09.2018, the final report has to be filed before the concerned Court. The respondent police shall take back the final report from the office of Revenue Divisional Officer and file it before the concerned Court. If the petitioner has any grievance, he is entitled to proceed in accordance with law.

6. With these observations, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (CrI.side)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Superintendent of Police,
Ramanathapuram District.
2. The Inspector of Police,
Elanjembur Police Station,
Ramanathapuram District.
3. The Inspector of Police,
CBCID, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.SATHEESH KUMAR, ADVOCATE IN SR No. 95240

LS

TE/RSK/SAR-2 : 10/12/2018 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

CrI.O.P.(MD).No.20312 of 2018
14.11.2018