



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2018

CORAM

THE HONOURABLE MR.JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD)No.21114 of 2018

WEB COPY

Vasanthaprasath

... Petitioner

Vs.

1. The Superintendent of Police
Thanjavur District
Thanjavur

2. The Inspector of Police
Tamil University Police Station
Thanjavur District, Thanjavur

... Respondents

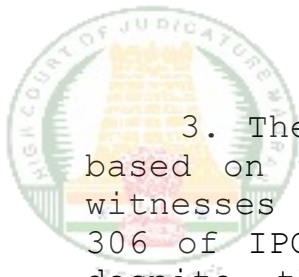
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.19 of 2018 on the file of the second respondent police to any other higher officials.

For Petitioner : Mr.A.Arunprasad
For Respondents : Mr.A.Robinson
No.1 and 2 Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.19 of 2018 on the file of the second respondent police to any other higher officials.

2.The learned counsel for the petitioner would submit that the petitioner is the son of Radhakrishnan. He would also submit that there was money dispute between petitioner's father and one Paramasivam and he threatened his father with dire consequences and criminally intimidated his father, due to which his father consumed poison and he was admitted in hospital and died on 25.01.2018. Based on the complaint given by the petitioner the respondent police registered First Information Report in Crime No. 19 of 2018 for the offence under Sections 294(b) and 506(ii) of IPC. Thereafter while cleaning the house the petitioner found the suicide note of his father and the petitioner informed the same to the second respondent police and they have not investigated the case in an effective manner and thereby the petitioner has sent a representation to the respondents, till date the respondents has not considered his representation thereby the petitioner has filed this petition.



3. The learned Government Advocate (Crl.Sid) would submit that based on the statement recorded from the petitioner and other witnesses the case has been altered to sections 294(b), 506(i) and 306 of IPC as early as on 21.06.2018. He would also submit that despite the request the petitioner has not handed over the original suicide note to the respondent that has been left by his father to the second respondent and therefore they are not able to proceed the investigation in a proper manner.

4. The learned counsel for the petitioner would submit that despite their several representations and only after filing this petition the petitioner has been summoned by the respondent police.

5. Considering the facts and circumstances of the case, the petitioner is directed to hand over the original suicide note to the second respondent and the second respondent shall proceed with the investigation in accordance with law. The Deputy Superintendent of Police, Vallam Circle is directed to monitor the investigation done by the second respondent.

6. With this observation, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Deputy Superintendent of Police,
Vallam Circle.

2. The Superintendent of Police
Thanjavur District
Thanjavur

3. The Inspector of Police
Tamil University Police Station
Thanjavur District, Thanjavur

4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1 cc To MR.A.ARUNPRASAD, ADVOCATE IN SR NO.97578

aav

MK/KK/SV/SAR 3/31.12.2018/2P/6C