

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.24196 of 2011

Mohamed Ali Jinnah

... Petitioners

Vs.

1. The Superintendent of Police,
District Police Office,
Namakkal District.
2. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
3. The Deputy Superintendent of Police,
C.B.C.I.D, Guindy,
Chennai - 600 032.

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent to take over the investigation of the case in Crime No.730 of 2011 from the file of the 2nd respondent, proceeding with the investigation, arrest the accused and file a final report in the above said case as per law within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S. Sathia Chandran

For Respondent-1 : Mr.V. Saratha Devi

Government Advocate(Crl side)

O R D E R

This criminal original petition has been filed seeking to direct the 3rd respondent to take over the investigation of the case in Crime No.730 of 2011 from the file of the 2nd respondent, proceeding with the investigation, arrest the accused and file a final report in the above said case as per law within a suitable time frame.

2. The case of the petitioner is that he is working as a Technical Assistant in Neyveli Lignite Corporation, Cuddalore

District and he has one daughter, by name Raabiyathul Bashariya and one son by name Mohamed Iiyas. His son is studying in IX std in a private school at Neyveli. His daughter after completing her X standard pursued her higher secondary course in S.R.V HiTech Girls Higher Secondary School, Rasipuram, Namakkal District and she stayed in the Girls Hostel situated near by the school. On 13.06.2011 at about 5.00 p.m the petitioner received a phone call from the Director of school, in which the petitioner's daughter was studying and informed him that his daughter is not feeling well. The petitioner immediately rushed to the school along with his relatives and saw that his daughter was committed suicide by hanging in her room. Hence, a case was registered in crime No.730 of 2011 u/s 174 of Cr.P.C. Further the petitioner suspects the death of her daughter and thereby he made a representation to the 2nd respondent on 27.06.2011 to transfer the investigation to a special agency. But they have either replied to the response or transferred the case. Hence, this petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner is not satisfied with the enquiry conducted by the respondents herein and the petitioner was not given a copy of the closure report. Therefore, he prays that this Court may transfer the investigation to the CBI/3rd respondent herein.

4.Considering the facts and circumstances of the case, it is seen that the petitioner suspects the death of his daughter and he was compelled by the police officials to register the case U/s 174 of Cr.P.C and even after filing the investigation, the closure report was not served on the petitioner.

5.In view of the above, this criminal original petition is disposed of with a direction to the second respondent to forward the closure report, post mortem report and all other particulars relating to this issue to the petitioner, within a period of 12 weeks from the date of receipt of a copy of this order. Further liberty granted to the Petitioner to wake out the remedy in the manner known to law.

Accordingly, this Criminal Original petition is closed.

-s/d-

Assistant Registrar

True Copy

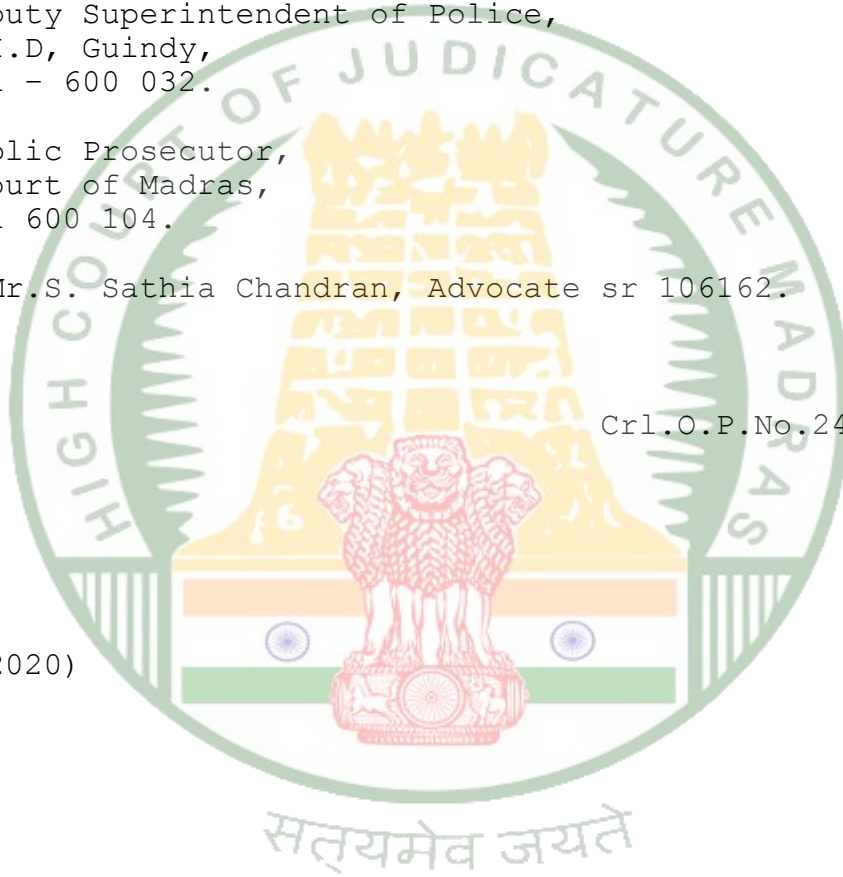
Sub-Assistant Registrar

To

1. The Superintendent of Police,
District Police Office,
Namakkal District.
 2. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
 3. The Deputy Superintendent of Police,
C.B.C.I.D, Guindy,
Chennai - 600 032.
 4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.
- +1 CC to Mr.S. Sathia Chandran, Advocate sr 106162.

CrI.O.P.No.24196 of 2011

PPA(CO)
SP(11/02/2020)



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