

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P. No.8850 of 2013

R.Ilangovan

.. Petitioner

Vs.

1.The Director General of Police,
Tamilnadu,
Tamilnadu Police Headquarter,
Dr.Radhakrishnan Road,
Mylapore,
Chennai-600 004.

2.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai-600 008.

3.The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai-600 114.

4.The Deputy Inspector General of Police,
CBCID,
Gunidy, Chennai-600 032.

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to transfer the case pertaining to Crime No.349 of 2012 from 3rd respondent to 4th respondent for further investigation. Subsequently, direct the 4th respondent to appoint competent officer to investigate the same and fix reasonable time to complete the investigation and lay charge sheet.

For Petitioner : No Appearance

For Respondents : Mr.Hari Hara Arun Somasankar
Government Advocate [Cr1. Side]

O R D E R

This Criminal Original Petition has been filed to transfer the F.I.R in Crime No.349 of 2012 on the file of 3rd respondent Police to the 4th respondent for further investigation.

2.Today i.e., when the matter is taken up for hearing, no representation for the petitioner. The case is pending from the year 2013, hence, adjourning the case for appearance of the petitioner would serve no purpose.

3.The case of the petitioner is that, the petitioner's daughter Parameswari married to one Chakravarthi on 21.12.2019. This marriage is arranged by both the parents. After the after marriage, the parents of the bride groom demanded 15 sovereign of Gold ornaments and Rs.30,000/- cash, due to economical problem, the petitioner gave only 7 sovereign of gold ornaments and Rs.25,000/- cash as Sreedhana to his daughter. Not satisfied with the same, the petitioner's daughter was constantly harassed by her husband and in-law's. In the meantime, a child was born to petitioner's daughter and he provided silver ornaments to his grand child. But, the mother-in-law of petitioner's daughter quarrelled, stating that the petitioner gave only small quantity of ornaments. Therefore, the petitioner was not allowed to inside the house to see his daughter and grandchild for more than a year.

4.On 04.02.2012, the petitioner received a phone call that the her daughter hanged herself in her matrimonial house. Thereafter, the petitioner lodged a complaint before the 3rd respondent Police, but the 3rd respondent refused to receive his complaint, for the reason that already a complaint hs been received from house owner.

5.Based on the complaint, the 3rd respondent registered an F.I.R in Crime No.349 of 2012 for the offence under Section 174 (iii) of Cr.P.C and took up the investigation. Thereafter, the matter was referred to Revenue Divisional Officer, Tambaram who enquired about the death of the petitioner's daughter, who died suspiciously within 7 years from her marriage.

6.The learned Government Advocate [Crl. Side] filed a counter and submitted that the Revenue Divisional Officer, Tambaram had conducted an inquest and enquiry and filed a report vide Ref.Ku.Vi.Pa.No.04 of 2012, dated 10.04.2012 to the Assistant Commissioner of Police, St.Thomas Mount Range, as per the report, there seems to be misunderstanding aroused between the said Chakravarthi and the deceased and there was no dowry demand or harassment made by the deceased husband and in-laws.

7. Further, the Assistant Commissioner of Police, St.Thomas Mount also arrived at the same conclusion as that of the Revenue Divisional Officer, Tambaram. Thereafter, altered the Section of law from 174(iii) to 174 of Cr.P.C and referred the case as "further action dropped" on 28.04.2012. Subsequently, sent a final report to the Tahsildr, Nanganallur.

8.In view of the same, nothing survives for adjudication in the above Petition and hence, this Criminal Original Petition stands closed.

Sd/-
Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director General of Police,
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Tamilnadu Police Headquarter,
Dr.Radhakrishnan Road,
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Chennai-600 004.
- 2.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai-600 008.
- 3.The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai-600 114.
- 4.The Deputy Inspector General of Police,
CBCID,
Gunidy, Chennai-600 032.
- 5.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8850 of 2013

VBA (CO)

RRS (24/04/2019)