



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.11774 of 2019

P. Sathya Priya

... Petitioner

Vs.

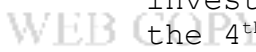
1. The Director General of Police,
Office of the Director General of police,
Dr. Radhakrishnan Salai, Mylapore,
Chennai - 600 004.
2. The Commissioner of Police,
Office of the Commissioner of Police,
No. 132, Commissioner Office building,
E.V.K. Sampath Road, Veppery,
Chennai - 600 007.
3. The Deputy Commissioner of police,
Office of the Deputy Commissioner of police,
Lattice Bridge Road, Opp - Adyar bus depot,
Adyar, Chennai - 600 020.
4. The Inspector of Police,
J-6, Thiruvanmiyur Police station,
Chennai.

... Respondents

PRAYER: This Criminal Original petition is filed under Section 482 of Cr.P.C., direct the 1st respondent to transfer the case in Crime No.107 of 2019 on the file of the 4th respondent to some other investigation agency, investigate the same and file the final report expeditiously.

For Petitioner : Mr.P. Muthamizh Selvakumar

For Respondent-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor



O R D E R

This petition has been filed seeking for transfer of investigation in Crime No. 107 of 2019 pending on the file of the 4th respondent.

2. The sister of the petitioner who developed a relationship with one Sivashankar is said to have married him and was residing with him. She later came to know that the said Shivasankar has already married and had children. Therefore, there was a quarrel between both of them and not able to bear the harassment, the deceased committed suicide on 14.02.2019. Based on the complaint given by the petitioner, an F.I.R was registered in Crime No. 107 of 2019 for an offence Under Section 306 of Cr.P.C on 16.02.2019.

3. The grievance of the petitioner is that there has been absolutely no progress in the investigation and the anticipatory bail petition filed by the abovesaid Shivasankar was dismissed twice by this Court and inspite of the same the said Shivasankar has not been arrested by the respondent police. The learned counsel further submitted that even as per the status report filed by the respondent only three witnesses have been examined till date. Therefore, the petitioner is seeking for transfer of investigation.

4. The 4th respondent filed a status report before this Court. The learned Additional public prosecutor apart from reiterating the stand taken by the 4th respondent in the status report submitted that the investigation is pending and that the said Shivasankar is yet to be arrested by the respondent police. The learned counsel further submitted that the investigation will be completed within a short time and the investigating office is waiting for the Viscera report from the expert.

5. This Court has carefully considered the submissions made on either side and perused the materials available on record.

6. This Court is not satisfied with the manner in which the case is investigated by the 4th respondent. The fact is that the accused has not been arrested till date inspite of his anticipatory bail petition being dismissed twice by this Court that itself shows that there is a lack of seriousness in investigating the case. Therefore, this Court is of the considered view that the investigation conducted by the 4th respondent requires monitoring by an higher authority.

7. This Criminal Original petition is disposed of by directing the 3rd respondent namely the Deputy Commissioner of



Police, Adayar to monitor the investigation made by the 4th respondent in Crime No. 107 of 2019 and he shall ensure that the investigation progresses effectively and the accused person is arrested and the final report is filed as expeditiously as possible.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To.

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4. The Inspector of Police,
J-6, Thiruvanmiyur Police station,
Chennai.
5. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.11774 of 2019

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srg 16/08/2019