



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.32475 of 2014

Anjalai

... Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Kachirayapalayam Police Station,
Kachirayapalayam,
Villupuram District.

... Respondents

PRAYER:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the 2nd respondent police namely the Inspector of Police, Kachirapalayam Police Station to transfer of the case pending with them in Crime No.121 of 2014 under Section 174 of Cr.P.C. to some other competent investigation agency preferrably the CB-CID Villupuram and investigate the case in order to meet the ends of justice.

For Petitioner : No Appearance

For Respondent :Mrs.M.Prabhavathy, APP

ORDER

This petition has been filed by the petitioner to to direct the 2nd respondent police namely the Inspector of Police, Kachirapalayam Police Station to transfer of the case pending with them in Crime No.121 of 2014 under Section 174 of Cr.P.C. to some other competent investigation agency preferrably the CB-CID Villupuram and investigate the case in order to meet the ends of justice.



2.No representation for the petitioner. The contention of the petitioner is that the petitioner's son one Goundamani was found hanging on 03.09.2014. According to the petitioner, her son was in love with one Renukha, daughter of Mariyapillai. When Mariyapillai came to know about the lover affair of his daughter, he arranged marriage with one Sivaji of Authur Taluk. The Mariyapillai's daughter Renuka came to the village after two years, the petitioner's son attempted to speak to her. Thereafter, the said Mariyapillai said to have abused and attacked, done to death. Suspecting the cause of death a complaint was lodged by the petitioner to the 2nd respondent, since 2nd respondent failed to take any steps on the complaint, the petitioner filed the present petition seeking transfer of the case to CBCID, Villupuram.

3.The learned Additional Public Prosecutor filed status report and produced case diary. On a perusal of the same, it is seen that the Inspector of Police, Kachirapalayam Circle conducted inquest over the deceased body, in the presence of Panchayatars and witnesses. Subsequently, the deceased body was sent to Government Hospital, Kallakuirchi for postmortem. After completion of postmortem, body was handed over to parents. The Inspector of Police received chemical analysis report and obtained final opinion from Postmortem doctor namely Tr.Muthukumar. The doctor had opined that "the deceased would appear to have died of asphyxia by hanging." In view of the same, the further action had been dropped on 14.02.2015.

4.It is seen that the petitioner along with her family members taken the body of the deceased Goundamani and placed it before the Mariapillai house, threatened, abused and forcibly obtained his signatures in various papers and ransom was demanded, for which the Mairapillai gave a complaint before the Kariyalur Police Station in Crime No.140 of 2014 u/s.147, 294 (b), 362, 347, 506(ii) IPC on 01.09.2014. After completion of investigation, charge sheet filed before the learned Judicial Magistrate, Sankarapuram on 29.10.2014 and the case has been taken on file in C.C.No.166 of 2015 and now the case is posted for judgment.

5.The contention of the petitioner is not sustainable and appears motivated. On perusal of case diary, it is seen a detailed investigation had been carried out. On obtaining opinion from the Doctor who conducted postmortem and report from forensic officer, the respondent had closed the case as further action dropped.



6. In view of the same, this court finds no infirmity in the investigation. Accordingly, this criminal original petition stands dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To.

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Inspector of Police,
Kachirayapalayam Police Station,
Kachirayapalayam,
Villupuram District.
3. The Public Prosecutor
High Court of Madras.

Copy to

The Section Officer,
Criminal Side,
High Court of Madras.

Crl.O.P.No.32475 of 2014

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srg 26/12/2019