

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Date : 21.01.2019

CORAM:
THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.29718 of 2018

M.Palanisamy

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruppur District.

2.State rep. By,
The Inspector of Police,
Pappireddipatti Police Station,
Pappireddipatti,
Dharmapuri District.

(Crime No.299 of 2018)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation FIR in Crime No.299 of 2018 dated 11.11.2018 pending on the file of the second respondent Police to some other police station.

For Petitioner : Mr.J.Franklin

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for transfer of investigation.

2.The petitioner's son was brutally attacked and was murdered on 10.11.2018. Based on the complaint given by the petitioner, the FIR came to be registered in Crime No.299 of 2018 for an offence under Section 302 of IPC.

3.It is the grievance of the petitioner that the investigation is not being conducted properly and even though the incident took place at Pappireddipatti Taluk, the deceased was intentionally taken for postmortem to Dharmapuri Government Hospital. It is the further grievance of the petitioner that the petitioner's son was attacked by several accused persons and only the names of two persons are shown in the FIR.

4.The learned Additional Public Prosecutor contended that the Postmortem was conducted at Government Hospital, Dharmapuri since no facility was available at Pappireddipatti Taluk. The Learned Additional Public Prosecutor would further submit that the postmortem report reveals more than 15 injuries and already one of the accused persons has been arrested by the respondent police. The learned Additional Public Prosecutor would further submit that the investigation is being conducted in an effective manner.

5.This Court is not inclined to transfer the investigation at this stage. At the same time, this Court wants to ensure that an effective investigation is conducted by the second respondent. Since the case involves the murder of the petitioner's son. Interest of Justice will be served by directing the first respondent viz., Superintendent of Police, Tiruppur District to monitor the investigation conducted by the second respondent. The second respondent shall continue with the investigation effectively under the due monitoring of the first respondent and shall complete the investigation as expeditiously as possible and bring all the accused persons to book.

6.Accordingly, this Criminal Original petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Tiruppur District.
- 2.The Inspector of Police,
Pappireddipatti Police Station,
Pappireddipatti,
Dharmapuri District.
- 3.The Public Prosecutor,
Madras High Court,
Madras.

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RRS 11/02/2019