



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2019

CORAM:

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.2376 of 2019
and
Crl.M.P.(MD)No.1272 of 2019

N.Ranjitham

: Petitioner

Vs.

1. The Superintendent of Police,
Virudhunagar District Superintendent of Police,
Virudhunagar.
2. The Inspector of Police, (Law and Order),
Srivilliputhur Town Police Station,
Virudhunagar District.
(Crime No.208 of 2018)
3. The Inspector of Police,
CBCID Branch,
Virudhunagar.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation of Crime No.208 of 2018 from the file of the second respondent to the third respondent, CBCID Virudhunagar on the basis of the petitioner's representation dated 30.01.2019.

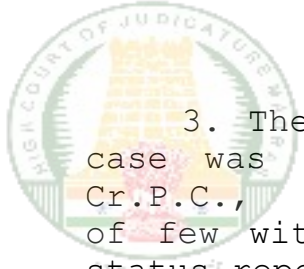
For Petitioner : Mr.E.Somasundaram

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

The present petition is filed for transfer of investigation of the case in Crime No.208 of 2018, wherein the petitioner complains that his son's death is unnatural.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.



3. The son of the petitioner was found dead in a tank and the case was registered in Crime No.208 of 2018 under Section 174 Cr.P.C., In this case, the prosecution had recorded the statement of few witnesses and dropped the action on the FIR. Today, the status report was filed and CD file is also made available. Perusal of the CD file indicates that the all important the postmortem report, which is critical in any forensic enquiry as to the cause of death, is incomplete in the sense the forensic lab report is yet to be obtained by the Doctor, who conducted autopsy. When the autopsy report is incomplete, it is not appropriate for the Investigating Agency to drop the action in the matter.

4. This Court, therefore directs the Investigating Agency to reopen the case and continue the investigation of the matter. The first respondent is directed to monitor the course of investigation. The Investigating Agency is directed to take the process of investigation to its logical end and lay the final report as expeditiously as possible but not later than six months from the date of receipt of a copy of this order. The Investigating Agency may also give an intimation to the petitioner about the laying of final report.

5. With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

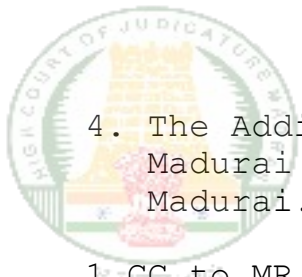
Assistant Registrar (WRIT)

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Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Virudhunagar District Superintendent of Police,
Virudhunagar.
2. The Inspector of Police, (Law and Order),
Srivilliputhur Town Police Station,
Virudhunagar District.
(Crime No.208 of 2018)
3. The Inspector of Police,
CBCID Branch,
<https://hcservices.ecourts.gov.in/hcservices/>
Virudhunagar.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

1. CC to MR.E.SOMASUNDARAM, Advocate (SR-57493[F] dated 28/03/2019)

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27.03.2019

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