



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

Crl.O.P. (MD)No.581 of 2018

M.I.Kaja Mohideen

... Petitioner

Vs.

1. The Director General of Police,
Mylapore, Chennai.

2.The Inspector General of Police,
General Zone, Trichy.

3.The Superintendent of Police,
CBCID/South Zone,Chennai

4.The Superintendent of Police,
Trichy District,Trichy

5.The Deputy Superintendent of Police,
Jeeyapuram Circe,Trichy District.

6.The Inspector of Police,
Inamkulathur Police Station,
Trichy District.
(Crime No. 88 of 2017)

7.The Inspector of Police,
CBCID, Trichy.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent police to transfer the investigation from the sixth respondent namely, Inspector of Police, Inamkulathur Police Station in Crime No.88 of 2017 to the 7th respondent namely Inspector of Police, CBCID, Trichy.

For Petitioner : Mr.T.Senthil kumar

For Respondents : Mr.V.Neelakandan

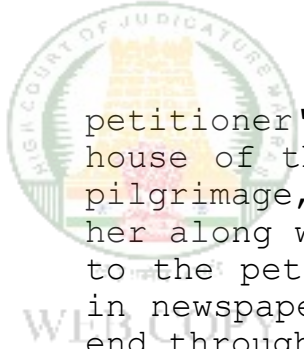
Additional Public Prosecutor

O R D E R

The present petition is filed seeking transfer of investigation of Crime No.88 of 2017 from the sixth respondent namely, Inspector of Police, Inamkulathur Police Station to the 7th respondent namely, Inspector of Police, CBCID, Trichy.

2. In the said occurrence, the petitioner's mother, a senior citizen is said to have been murdered.

3.The learned counsel appearing for the petitioner submitted that the petitioner and her mother are Mohammedans, that on the pretext of carrying to Umra Pilgrimage, the first accused took the



petitioner's mother with her and later, her body was found in the house of the first accused. He would submit that since she went to pilgrimage, she had carried all the documents necessary to identify her along with some jewels and cash. Yet her death was not intimated to the petitioner. She was buried and her photographs were flashed in newspapers. The petitioner came to know the mother's unfortunate end through newspaper.

4. The learned counsel for the petitioner further added that earlier Mr. Hariharan, then Additional Superintendent of Police was investigating the case and he had collected adequate materials and some of which even the petitioner could have access. However, the present Additional Superintendent of Police is now conducting the investigation. He submitted that the entire sequence of investigation to the extent the petitioner gathers does not appear to proceed in the right way. He subsequently brought to the notice of this Court that the victim's ear has been chopped and one of her eyes was removed.

5. Since the nature of allegations made by the learned counsel for the petitioner appeared grave, this Court required the presence of the present Additional Superintendent of Police to assist the Court.

6. Pursuant to the direction given by this Court, Mr. R. Radha Krishnan, the Deputy Superintendent of Police is present before this Court. On instruction, the learned Additional Public Prosecutor submitted that the investigation is completed and only final report is yet to be laid.

7. Given the circumstances that the offence was committed about 2 years back and given the fact that the investigation is now said to have been substantially completed, this Court now directs the Additional Deputy Superintendent of Police, Trichy to scrutinize the entire final report, to ascertain if the investigation has proceeded in the right direction. This apart, if the petitioner has any materials/information to share with the Investigating Officer the same is now directed to be shared with the present Additional Deputy Superintendent of Police. The Additional Deputy Superintendent of Police, Trichy shall also scrutinize the veracity of the information provided and try to ensure that the final report takes into account all the information the Investigating Agency has gathered.

8. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar

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To

1. The Director General of Police,
Mylapore, Chennai.

2. The Inspector General of Police,
General Zone, Trichy.

3. The Superintendent of Police,
CBCID/South Zone,
Chennai

4. The Superintendent of Police,
Trichy District,
Trichy

5. The Deputy Superintendent of Police,
Jeeyapuram Circle,
Trichy District.

6. The Inspector of Police,
Inamkulathur Police Station,
Trichy District.
(Crime No88 of 2017)

7. The Inspector of Police,
CBCID, Trichy.

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

9. The Additional Deputy Superintendent of Police,
Trichy.

10. The Additional Superintendent of Police, Trichy.

+1cc to Mr.T.SENTHILKUMAR, Advocate, SR.No.58752

Cr1.O.P. (MD) No.581 of 2018
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CM

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