



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**  
Crl.O.P.[MD]No.3858 of 2019

WEB COPY

V.Christopher : Petitioner / De facto complainant

Vs.

1.The State of Tamil Nadu,  
Represented by the Superintendent of Police,  
Kanyakumari District, Nagercoil.

2.The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.

: Respondents / Complainant

(Crime No.441 of 2018)

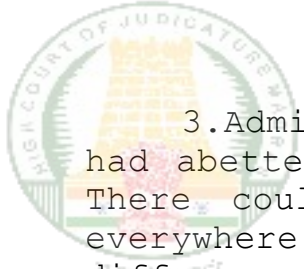
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to pass appropriate direction directing the first respondent to transfer the investigation in Crime No.441 of 2018, on the file of the second respondent to some other agency, who is competent to try the case.

For Petitioner : Mr.C.K.M.Appaji  
For Respondents : Mr.V.Neelakandan  
Government Advocate [Crl.Side]

### ORDER

The Criminal Original Petition is filed to direct the first respondent to transfer the investigation in Crime No.441 of 2018, on the file of the second respondent to some other agency, who is competent to try the case.

2.The petitioner's father has committed suicide on 13.12.2018. The short case as discussed in the First Information Report is that the petitioner has lost his mother (First wife of the deceased) and thereafter, his father had married certain Santha, that appeared to have arisen certain differences between the petitioner's father and his step mother, owing to which, the father has committed suicide, infact, he was found dead near the graveyard of his mother. The petitioner suspected that Shantha had abetted his father to commit suicide. Since the investigation is proceeded only under Section 174 Cr.P.C, the petitioner seeks



3. Admittedly, it is the case of suicide, but, whether Shantha had abetted it is not evident from the First Information Report. There could have been matrimonial differences. It is there everywhere. Everyone who commits suicide due to some matrimonial differences with no nerve faces the challenge is not a ground to shift the blame on any other. The suicide as a response to a challenging situation in life reflects the attitude of an individual, and it is the individual who has to become tough when the going is tough. Therefore, this cannot be a ground to transfer the investigation. This Court does not find any merit.

4. Having stated that, this Court directs the prosecution to complete the investigation and lay a charge sheet within a period of eight weeks from the date of receipt of a copy of this order. This Court leaves the issue of actual legal relationship between the petitioner's father and Shantha open.

5. The Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,  
Kanyakumari District, Nagercoil.

2. The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.

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

+1 CC to M/s.C.K.M.APPAJI, Advocate ( SR-54562[F] dated 18/03/2019 )

tsg

**Cr1.O.P. [MD] No.3858 of 2019**  
**14.03.2019**

KM/ (12.04.2019) 2P 5C