



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CrI.O.P.[MD]No.5783 of 2019

D.Susila

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
at Nagercoil.
2. The Deputy Superintendent of Police,
Padmanabapuram Sub Division,
Kanyakumari District.
3. The Inspector of Police,
Pechiparai Police Station,
Kanyakumari District.
4. S.Thangam
5. Chinthamani

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to change the Investigation Officer in respect of Crime No.20 of 2018 on the file of the Pechiparai Police Station from the third respondent to the second respondent.

For Petitioners	: Mr.G.Thalaimutharasu
For R-1 to R-3	: Mr.V.Neelakandan, Additional Public Prosecutor.

ORDER

This petition has been filed to change the Investigation Officer in respect of Crime No.20 of 2018 on the file of the Pechiparai Police Station from the third respondent to the second respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the official respondents.

3. The petitioner claims that her father was murdered on 21.10.2018, that the case came to be registered in Crime No.20 of 2018. But till date no real progress is made in the investigation.

4. The learned Additional Public Prosecutor submitted that the investigation is underway and the statements of the witnesses have been recorded and the respondent police is waiting for forensic lab report. He also made available the CD file for perusal of the Court.



5. This Court has also perused the CD file, which discloses that the investigation in this matter is not stagnated.

6. The learned counsel for the petitioner submits that the statement of the petitioner is not recorded by the Police Officer. While it is the prerogative of the Investigating Officer to record the statement of the witnesses, if the petitioner has some material information in her possession as to the cause of her death, she is now required to share the same with the third respondent. The second respondent is also now directed to monitor the course of investigation.

7. With the above direction, this Criminal Original Petition is disposed of.

sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
at Nagercoil.
2. The Deputy Superintendent of Police,
Padmanabapuram Sub Division,
Kanyakumari District.
3. The Inspector of Police,
Pechiparai Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.G.THALAIMUTHURASU, Advocate (SR-63126[F] dated 26/04/2019)

Cr1.O.P. [MD]No.5783 of 2019
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