



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP(MD).No. 849 of 2017

Latha ... Petitioner
Vs.

1. The Superintendent of Police,
Trichy District.
2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.
3. The Inspector of Police,
Lalgudi Police Station,
Trichy District.
4. The Inspector of Police,
CB-CID, Trichy District,
Trichy.

... Respondents

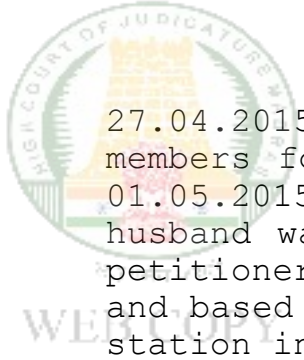
PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to change the investigation from the 2nd respondent to the 4th respondent, within the stipulated time as directed by this Court.

For Petitioner : Mr. C. Vakeeswaran
For Respondents : Mr.K.K. Ramakrishnan
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking to conduct an investigation in Crime No.198 of 2015, registered under section 174 of Cr.P.C., from the 2nd respondent to 4th respondent.

2. The grievance of the petitioner is that, she is wife of one Rajmohan, their marriage was solemnized in the year 2007, and out of the marriage they have two children. The said Rajmohan was working as conductor in Tamil Nadu State Transport Corporation. Since there was difference of opinion between the family members of the petitioner's husband, both the petitioner and her husband ~~have been living separately~~ separately. Subsequently, there was a dispute in the family of the Rajmohan regarding the share of ancestral properties and there was a quarrel between the family members. On



27.04.2015, the petitioner's husband has approached his family members for his share in the ancestral properties, thereafter, on 01.05.2015, the petitioner was informed that the petitioner's husband was murdered and hanged. In the above circumstances, the petitioner has filed a complaint before the 3rd respondent police and based on the complaint, a case was registered in Lalgudi police station in crime No.198 of 2015 under Section 174 of Cr.P.C.

3. Eventhough, the complaint was registered, no investigation has been conducted, hence, the petitioner has filed a petition before this Court in Crl.O.P.(MD) No.11312 of 2015, seeking transfer of investigation and this Court by an order, dated 08.07.2015, directed the first respondent to transfer the investigation to the 2nd respondent.

4. The allegation of the petitioner is that the petitioner's husband Rajmohan was murdered and the respondent police has deliberately not investigating the complaint in proper manner.

5. Earlier, notice was ordered to the respondents.

6. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents, based on instructions submitted that already investigation has completed and the 2nd respondent police has filed a negative final report before the learned Judicial Magistrate, Lalgudi and final report is pending with the learned Judicial Magistrate.

7. Considering the circumstances, already the investigation has completed and the final report has also been filed before the concerned Judicial Magistrate, if at all, any grievance against the final report filed by the 2nd respondent police, the petitioner can very well approach the concerned Judicial Magistrate and workout her remedy in a manner known to law.

8. With the above observations, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

ksa



1. The Superintendent of Police,
Trichy District.

2. The Inspector of Police,
Samayapuram Police Station,
Trichy District.

3. The Inspector of Police,
Lalgudi Police Station,
Trichy District.

4. The Inspector of Police,
CB-CID, Trichy District,
Trichy.

5. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.C.VAKEESWARAN, Advocate Sr. No. 68059

CRL OP (MD) .No. 849 of 2017
11.06.2019

DB (CO)
TR (05.07.2019) 5P 7C