



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.12048 of 2019

WEB COPY

A.Anthuvan Santhoshkumar

: Petitioner

Vs.

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Airport Police Station,
Trichy City,
(Cr.No.268 of 2017)

3.The Inspector of Police,
C.B.C.I.D., Trichy,
Trichy District.

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to transfer the investigation of the case in Crime No.268 of 2017 pending on the file of the second respondent police to the third respondent or any other independent agency.

For Petitioner

: Mr.S.Balaji

For Respondents

: Mr.K.Suyambulinga Bharathi

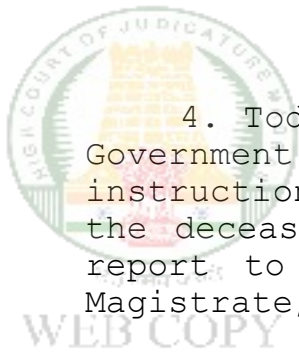
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking transfer of investigation of the case in Crime No.268 of 2017.

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

3. The grievance of the petitioner is that the petitioner's wife by name Dayana Vinnarasi died in a suspicious circumstances. Based on the complaint given by the deceased mother a case in Crime No.268 of 2017 for the offence under Section 174 Cr.P.C., has been registered. But so far no investigation is conducted on the said case. Hence, the petitioner has filed the present petition.



4. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondents, on instructions, would submit that the complaint given by the mother of the deceased has been enquired and closed as 'action dropped'. A report to that effect has also been filed before the Executive Magistrate, Trichy in the year 2017.

5. Considering the fact that now the investigation is over and final report has also been filed as 'action dropped', and also considering the fact that the petitioner is not the defacto complainant in this case, the prayer sought for by the petitioner cannot be granted. Accordingly, this Criminal Original Petition is closed. However, the respondent police is directed to file a final report before the learned Judicial Magistrate concerned.

Sd/-

Assistant Registrar (Ad-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Airport Police Station,
Trichy City,
(Cr.No.268 of 2017)

3.The Inspector of Police,
C.B.C.I.D., Trichy,
Trichy District.

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

+1 CC to Mr.S.BALAJI, Advocate SR-84156.

Order made in
CRL.O.P. (MD) .No.12048 of 2019

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