



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.12819 of 2019

K.T.Govindaraj

...Petitioner

Vs.

1. The Deputy Superintendent of Police
District Crime Branch
Dindigul District

2. The Inspector of Police
Ambathurai Police Station
Dindigul District

3.P.Raja

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation of the Crime No.188 of 2019 on the file of the Ambathurai Police Station from the second respondent to some other officer.

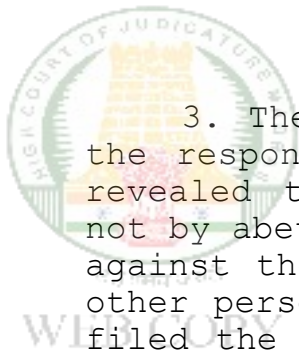
For Petitioner : Mr.K.Anandan

For Respondents : Mr.K.Suyambulinga Bharathi
No.1 and 2 Government Advocate(Crl.Side)

ORDER

This petition has been filed to transfer the investigation of Crime No. 188 of 2019 on the file of the second respondent police.

2. The learned counsel for the petitioner would submit that the petitioner's son has committed suicide on 15.07.2019 by consuming poison. Immediately he was taken to hospital and he died on 16.07.2019. On his suicide they suspected third respondent and other accused persons as they abetted and instigated to commit suicide and the case was registered for offences under Section 174 Cr.P.C.



3. The learned Government Advocate(Crl.Side) would submit that the respondent police conducted enquiry and during enquiry it was revealed that the petitioner's son himself has committed suicide not by abetment of instigation. In fact another complaint was lodged against the petitioner that he borrowed a sum of 64,00,000/- from other persons and only to escape from the clutches of law, he has filed the present petition to transfer the investigation. He would further submit that the respondent police is going to complete the final report. Hence he opposed this petition.

4. It is seen that the son of the petitioner has committed suicide by consuming poison . There is no suicide note and there is no evidence to attract the offence under Section 306 of IPC against the accused persons. However the respondent police is about to complete the investigation and file final report and at this stage change of investigation will affect the investigation done by the second respondent. Hence this Court is not inclined to transfer the investigation.

5. It is also seen in one hand the petitioner has filed this petition and on the other hand he has filed a petition to not to harass before this Court to escape from the clutches of law.

6. In this result, the Criminal Original Petition is dismissed. However, the second respondent police is directed to complete the investigation and file final report within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police
District Crime Branch, Dindigul District.
2. The Inspector of Police
Ambathurai Police Station, Dindigul District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K. ANANDAN, Advocate (SR-86854[F] dated 16/09/2019)

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