



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.12.2019
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.21353 of 2015 and
M.P.(MD)No.1 of 2015

Thangam

... Petitioner

Vs.

1. The State of Tamil Nadu,
Secretary to Government,
Fort St. George, Chennai.
2. The Director General of Police,
Tamil Nadu, Chennai.
3. The Superintendent of Police,
Madurai District.
4. The Deputy Superintendent of Police,
Samayanallur Range,
Samayanallur,
Madurai District.
5. The Inspector of Police,
Vadipatti Police Station,
Vadipatti(Cr.No.118 of 2015),
Madurai District.
6. The Revenue Divisional Officer,
Madurai.
7. The Central Bureau of Investigation,
Rep. by the Joint Director,
Sasthiri Bhavan, Chennai -6.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct respondents 1 and 2 herein to withdraw the investigation pending on the file of the fourth respondent in Crime No.118 of 2015 registered on the file of the 5th respondent police station to any other competent officer of the 7th respondent for investigation in accordance with law.

For Petitioners : Mr.C.Ezhilarasu
For R-2 to R-5 : Mr.A.Robinson,
Government Advocate(Crl. Side).



O R D E R

The petitioner is the defacto complainant in Crime No.118 of 2015 on the file of the Vadipatti police station. The petitioner's daughter died in unnatural circumstances on 07.03.2015. According to the petitioner, it is a case of murder. The police registered the case for the offence under Section 174 of Cr.P.C. and filed final report for the offences under Section 306 of I.P.C.

2. The learned Government Advocate(Crl. Side) states that the jurisdictional Magistrate is yet to take the case on file.

3. The petitioner has alleged that it is a case of murder. The prosecution has taken the view that it is a case of suicide. In all fairness, the jurisdictional Magistrate must issue notice to the petitioner herein, before taking further action in the matter.

4. The petitioner will be given full opportunity to place her objections, questioning the correctness of the final report filed by the investigation officer. If the learned trial Magistrate sustains the objections given by the petitioner, he would reject the final report and pass further orders in accordance with law.

5. With these observations, the Criminal Original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (writs)

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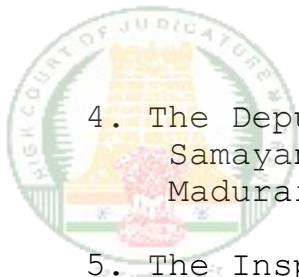
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Sub Assistant Registrar(CS)

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To:

1. The Secretary to Government,
Fort St. George, Chennai.
2. The Director General of Police,
Tamil Nadu, Chennai.
3. The Superintendent of Police,
Madurai District.



4. The Deputy Superintendent of Police,
Samayanallur Range, Samayanallur,
Madurai District.
5. The Inspector of Police, Vadipatti Police Station,
Vadipatti (Cr.No.118 of 2015),
Madurai District.
6. The Revenue Divisional Officer, Madurai.
7. The Central Bureau of Investigation,
Rep. by the Joint Director,
Sasthiri Bhavan, Chennai -6.
8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.21353 of 2015
03.12.2019

MK (18.02.2020) 3P 9C