



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2019

CORAM:

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

Cr1.O.P. (MD) .No.15518 of 2019

V.Venu

... Petitioner

Vs.

1.The Inspector General of Police,
Office of Inspector of Police,
Central Region,
Tiruchirappalli - 620 001.

2.The Deputy Inspector General of Police,
Office of Deputy Inspector General of Police,
Court Road, Thanjavur - 613 001.

3.The Superintendent of Police,
Office of Superintendent of Police,
Thanjavur District.

4.The Inspector of Police,
West Police Station,
Thanjavur District.
(Crime No.47/2019)

5.The Inspector of Police,
CBCID Department,
Thanjavur District.

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the third respondent to transfer the investigation of the case registered in Crime No.47 of 2019 on the file of the fourth respondent to the fifth respondent or any other agency for a proper fair and thorough investigation in accordance with law.

For Petitioner : Mr.R.Sureshkumar

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

O R D E R

This petition has been filed to direct the third respondent to transfer the investigation of the case registered in Crime No.47 of 2019 on the file of the fourth respondent to the fifth respondent or any other agency for proper fair and thorough investigation in



accordance with law.

2. The learned counsel for the petitioner would submit that the son of the petitioner met with an accident for the reason that one Bala attacked him with iron rod while travelling in the auto driving by his son. Therefore, auto collapsed and as such, he died. In fact only the said Bala had brought him to the hospital by 108 ambulance. On suspicious, the death of his son, he made so many representations to the higher official for proper investigation. Without considering the said representations, the fourth respondent simply kept the matter pending and hence, he seeks transfer of investigation.

3. The learned Additional Public Prosecutor, filed status report and submitted that the son of the petitioner met with an accident while he was driving auto, and then he was taken to Thanjavur Medical College Hospital by 108 ambulance and found that he was died. He further submitted that from the preliminary investigation and the statements of the witnesses it came to light that the petitioner's son met with an accident and his death could be done only on his rash and negligent manner of driving in drunken mood and hence further action has been dropped in this case and filed final report before the Judicial Magistrate No.III, Thanjavur, on 28.03.2019 itself.

4. On perusal of the Case Dairy, it is revealed that the fourth respondent conducted proper and fair enquiry, completed the same and filed final report as "the charges abated". Under these circumstances, this Court is not inclined to entertain this petition. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

1.The Inspector General of Police,
Office of Inspector of Police,
Central Region,
Tiruchirappalli - 620 001.

2.The Deputy Inspector General of Police,
Office of Deputy Inspector General of Police,
Court Road, Thanjavur - 613 001.



3.The Superintendent of Police,
Office of Superintendent of Police,
Thanjavur District.

4.The Inspector of Police,
West Police Station,
Thanjavur District.

5.The Inspector of Police,
CBCID Department,
Thanjavur District.

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

+1CC TO MR.R.SURESH KUMAR, Advocate Sr. No. 96892

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07.11.2019

GKG (CO)
TR(12.12.2019) 3P 8C