



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD)No.17550 of 2019

Muthupandi

... Petitioner

Vs

1. The Superintendent of Police
Madurai District, Madurai

2.The Inspector of Police
Checkanoorani Police Station
Checkanoorani, Madurai District

3. The Inspector of Police
CBCID, Madurai

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st Respondent to transfer the investigation in Crime No.217 of 2019 on the file of the 2nd respondent to the 3rd respondent

For Petitioner : Mr.S.Kanagarajan

For Respondents : Mr.K.Suyambulinga Bharathi
No.1 to 3 Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the 1st Respondent to transfer the investigation in Crime No.217 of 2019 on the file of the 2nd respondent to the 3rd respondent

2. According to the petitioner his son met with an accident on 05.06.2019 at about 06.00 p.m. Thereafter on the very same day at 10.00a.m., the petitioner made a call to the cell phone of the deceased, since there was no response, the petitioner suspected that his son was murdered, whereas the learned Government Advocate (Crl.Side) would submit that this an accident case. While the petitioner son was driving his motor cycle, due to crossing of dog he himself fell down and sustained grievous injury. Initially a case was registered under Sections 279 and 337 of IPC and after



investigation the case was altered into section 304(A) of IPC.

3. Considering the facts and circumstances of the case, at this stage transfer of investigation would not serve any purpose as alleged by the petitioner. Hence this petition is dismissed. However the second respondent police is directed to conduct investigation in respect of the call received from the cell phone of the deceased and further directed to file final report within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also directed to co-operate for enquiry. The first respondent is directed to monitor the investigation done by the second respondent and shall ensure that the second respondent shall complete the investigation as directed by this Court.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate, No.II

2. The Superintendent of Police
Madurai District, Madurai

3.The Inspector of Police
Checkanoorani Police Station
Checkanoorani, Madurai District

4.The Inspector of Police, CBCID, Madurai.

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

+1 CC to M/s.S.KANAGARAJAN, Advocate (SR-102915[F] dated 02/12/2019

Crl.O.P. (MD)No.17550 of 2019
28.11.2019

JMN(16.12.2019) 2P : 7C