

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Cr1.O.P.No.9380 of 2018

Velu ... Petitioner/Defacto Complainant

Vs.

- 1.The State rep. by
The District Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 2.The State rep. by
The Inspector of Police,
Orathi Police Station,
Kancheepuram District.
- 3.The Director General,
Central Bureau of Crime Investigation Department,
SIDCO Electronics Complex,
Block No.3, First Floor,
Guindy Industrial Estate,
Chennai - 32. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to transfer the investigation pending in Crime No.335/2017 on the file of the second respondent to third respondent herein.

For Petitioner : Mr.S.Deivasigamani

For Respondents: Mrs.P.Kritika Kamal
Government Advocate
(Cr1. Side)

ORDER

This case is taken up through video conferencing.

2. On the complaint lodged by the petitioner, the respondent Police registered a case in Crime No.335 of 2017 under Section 174 of Cr.P.C. in connection with the death of the petitioner's son Pandiyan. In the complaint given by the petitioner, he has stated that his son had taken liquor on

25.11.2017 and accidentally, fallen from a guava tree which he climbed. He was rushed to the hospital where he died on 04.12.2017. Thereafter, the petitioner gave a representation stating that his son was beaten by some persons and therefore, the death was not due to accidental fall. Under such circumstances, the petitioner has filed the present petition for transfer of investigation.

3. The learned Government Advocate (Crl. Side) submitted that the investigation in Crime No.335 of 2017 was completed and further action was dropped on 05.02.2018 and the closure report has been filed before the Tahsildar, Maduranthagam.

4. The Tahsildar, Maduranthagam, is directed to take photocopies of the entire papers and transmit the original case file in Orathi Police Station, Crime No.335 of 2018 to the Judicial Magistrate, Maduranthagam, within a period of four weeks from the date of receipt of a copy of this order. Thereafter, liberty is given to the petitioner to approach the Judicial Magistrate, Maduranthagam and file a protest application, if so advised, within one month from the date of receipt of the papers by the Judicial Magistrate, Maduranthagam.

5. With the above directions, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 2.The Inspector of Police,
Orathi Police Station,
Kancheepuram District.
- 3.The Director General,
Central Bureau of Crime Investigation Department,
SIDCO Electronics Complex,
Block No.3, First Floor,
Guindy Industrial Estate, Chennai - 32.
- 4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

5.The Judicial Magistrate,
Maduranthagam.

6.The Tasildar,
Madruanthagam.

Cr1.O.P.No.9380 of 2018

RJI (CO)

GN (23/10/2020)



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