

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 09.03.2020

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THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2736 of 2020

Rukumani

.. Petitioner

Vs

The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
Crime No.424 of 2017.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to transfer the investigation in Crime No.424 of 2017 pending on the file of the respondent, to some other independent investigation agency.

For Petitioner : Mr.A.Gokulakrishnan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

The petition has been filed to transfer the investigation in Crime No.424 of 2017 pending on the file of the respondent, to some other independent investigation agency.

2.The learned counsel for the petitioner submitted that the petitioner's son's body was 30 feet away from the service road. According to the post-mortem report, he was murdered in a suspicious manner. Already, there was a dispute between the petitioner's family and neighbours. Thereafter, someone found that body and was straight away taken to the hospital and thereafter, the petitioner's relative was informed that the body is in the Government Hospital.

3.The learned counsel further submitted that though, the petitioner's son is said to have died in an accident, the vehicle that caused the accident has not been traced. It is seen from the closure report that the body was found 30 feet away from the service road. Therefore, there is absolutely no possibility for accident.

4.This Court subsequently raised a question as to who found the body in the place. There is absolutely no record as to who found the body and took the same to the hospital straight away. In this regard, it requires further investigation.

5.Considering the above circumstances, the closure report that was filed by the respondent in Crime No.424 of 2017 is set aside. The investigation in Crime No.424 of 2017 is hereby withdrawn from the file of the respondent and the same is transferred to the file of Deputy Superintendent of Police for further investigation.

6.The Deputy Superintendent of Police is directed to conduct proper and fair investigation. In view of the prevailing situation, the Deputy Superintendent shall complete the investigation and file a final report within a period of 12 weeks from the date of receipt of a copy of this order. The Superintendent of Police, Kangeyam, is directed to monitor the investigation also to ensure that the Deputy Superintendent of Police completes the investigation within the period stipulated by this Court.

7.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
Crime No.424 of 2017.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Gokulakrishnan , Advocate SR.No. 20738

CrI.O.P.No.2736 of 2020

A.SK(22/07/2020)