

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. No. 4342 of 2020

R.Eluvakka

.. Petitioner

Vs

1. The Commissioner of Police,
Vepery, Chennai - 7.

2. The Inspector of Police,
T5, SRMC Police Station,
Porur, Chennai - 125.

.. Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st respondent to transfer the investigation in respect of Crime No. 473 of 2017 pending on the file of 2nd respondent to some other agency.

For Petitioner : Ms.T.Sreelekha

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This petition has been filed for transfer of investigation in Crime No. 473 of 2017 registered under Section 174 of Cr.P.C.

2. Heard Ms.T.Sreelekha, learned Counsel for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner's daughter died in a suspicious manner and her body was found out in the porur lake. Though the second respondent registered the complaint under Section 174 of Cr.P.C., thereafter, no enquiry was conducted and they have not arrested the suspicious persons and as such he sought for transfer of investigation.

4. The learned Additional Public Prosecutor appearing for

the respondents submits status report which states that all the suspicious/trespassed persons were enquired and informed that the deceased was in love with one Balaji, who is her face book friend. Thereafter, he refused to marry her and as such she committed suicide by jumping into the lake. The postmortem report also reveals that she died only due to drowning.

5. Therefore, the second respondent is directed to file a final report before the concerned Tahsildar, since the case has been registered under Section 174 of Cr.P.C.

6. Considering the above facts and circumstances, the transfer of investigation does not arise in this case and hence the petition stands dismissed. However, the second respondent is directed to serve the referred charge sheet notice to the petitioner and also before the concerned jurisdictional Court where the FIR is pending, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the Referred Charge Sheet Notice, the petitioner shall file his objections before the concerned court.

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

Sd/-
Assistant Registrar(AD I)MDU

//True Copy//

Sub Assistant Registrar

arb/drl

To

1. The Commissioner of Police,
Vepery, Chennai - 7.

2. The Inspector of Police,
T5, SRMC Police Station,
Porur, Chennai - 125.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.*, Advocate, S.R.No.21719

CrI.O.P. No. 4342 of 2020

SVI (CO)
KKV/17/06/2020