

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12266 of 2020

V.Murugesan

...Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai, Vepery, Chennai.

2. The Inspector of Police,
Crime Branch - Crime Investigation Department (CBCID),
No.24, Pantheon Road, Old Commissioner Office,
Egmore, Chennai-600 008.

3. The Deputy Commissioner of Police,
Flower Bazzar, Chennai.

4. The Inspector of Police,
Seven Wells Police Station,
Chennai.
(Crime No.1142 of 2020)

...Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct transfer of investigation in Crime No.1142 of 2020 from the file of the 4th respondent to the 2nd respondent CBCID for further investigation.

For Petitioner : Mr.S.Sathish Rajan

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation in Crime No.1142 of 2020 from the file of the 4th respondent to the 2nd respondent CBCID for further investigation.

2. The learned counsel for the petitioner would submit that on 20.07.2020, when the petitioner's elder son received a phone call from the mobile of the deceased Kannan, son of the petitioner herein stating that he fell

down from the bed and sustained injuries. Thereafter, the hospital authorities informed that the deceased is in critical condition and his family members reached the hospital and it was informed that petitioner's son fell down from the third floor of the Stanley Government Medical College Hostel Campus and succumbed to the injuries. Therefore, the petitioner's son died in mischievous circumstances and the petitioner suspected against the hospital authorities. Further, the deceased absolutely had no circumstances to commit suicide that to when he is doing his studies in M.S.Ortho on merit.

3. The learned Additional Public Prosecutor has filed status report. Paragraph Nos.9 and 12 of the status report are as follows:-

"9. I further submit that on examination of one of the witness by name Dr.Sharmila Devi who studied with deceased in M.B.B.S., Tanjore Medical College, has given detailed statement about their close friendly relationship during college days, she had also visited family of the deceased residence at Udumalpet, in Thiruppur District. She also stated that deceased told her that he has been recently engaged for marriage with another Doctor and the marriage is arranged by his parents.

.....
.....

12. It is submitted that on examination of all the hostlers, none of the witness has reported any altercation in the hostel prior or immediately before the death of the deceased. Since all the doctors were actively involved in Covid-19 duty, and there was no close interaction between the doctors. The Auto driver who was taken the deceased from the SOC to emergency ward with the help of other Doctors who were staying the P.G. Hostel, did not give any incriminating evidence about the death of the deceased."

4. The learned Additional Public Prosecutor further submitted that the investigation is only in the preliminary stage and so far it discloses that the deceased might have accidentally fallen or jumped from the third floor of the hostel premises and succumbed to injuries.

5. Considering the above submissions, the investigation is under progress and yet to complete the same. At this circumstances, the 4th respondent is directed to investigate the Hospital Authorities. Further, the 4th respondent is directed to complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order. The Joint Commissioner of Police, Chennai North-Zone is directed to monitor the investigation done by the 4th respondent and ensure that the 4th respondent is complying the order passed by this Court.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Commissioner of Police,
Greater Chennai, Vepery, Chennai.
2. The Inspector of Police,
Crime Branch - Crime Investigation Department (CBCID),
No.24, Pantheon Road, Old Commissioner Office,
Egmore, Chennai-600 008.
3. The Deputy Commissioner of Police,
Flower Bazaar, Chennai.
4. The Joint Commissioner of Police,
Chennai North Zone.
5. The Inspector of Police,
Seven Wells Police Station,
Chennai.
6. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.12266 of 2020

AJS(CO)
KK/09/10/2020