

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 14047 of 2020

N.D.Natrajan
S/o. N.Dhandapani
Head Master (Ret)
No.12, Annanagar,
Sevalai Road, Thirukkivilur,
Vilupuram District.

... Petitioner

Vs.

1.State by: The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram
(Crime No.1022 of 2019)

3.The Director General of Police,
Crime Branch CID, Egmore,
Chennai-600 008.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents 1 and 2 to consider the representation of the petitioner dated 29.07.2020 and transfer the investigation in Crime No.1022 of 2019 on the file of Villupuram Taluk Police Station to the respondent No.3-CB Cid police or any other agency.

For Petitioner : Mr.P.Pugalenth
For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed for a direction directing the respondents 1 and 2 to consider the representation of the petitioner dated 29.07.2020 and transfer the investigation in Crime No.1022 of 2019 on the file of the Villupuram Taluk Police Station to the respondent No.3 CBCID police.

2.The learned counsel appearing for the petitioner would submit that the petitioner is none other than the own husband of the deceased. It is case of murder for gain, the second respondent did not conduct the enquiry, he registered a case as against the petitioner. He, being the husband of the deceased, there is absolutely no material to conduct enquiry and registering the case as against the petitioner herein. He further submitted that the petitioner is a retired head master and he has received Dr.Radhakrishnan Award from the Government of Tamil nadu and Best Teacher Award from Government of India. Even then, without considering the same, the second respondent registered a case. He never committed any offence and now the second respondent is enquiring the matter in the biased manner. Therefore, he sought for transfer of investigation.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner is a sole accused, he murdered his own first wife for gain. Therefore, there is a incriminating material to show that the petitioner committed offence and as such the second respondent rightly registered the case as against the petitioner for the offence under sections 302, 201 of IPC.

4.Considering the above submission made by the learned Additional Public Prosecutor, as well as the learned counsel for the petitioner, the petitioner is a sole accused in Crime No.1022 of 2019 registered for the offence under Sections 302, 201 IPC. Admittedly the petitioner is an accused. According to the case of the prosecution, he murdered his first wife for gain. He was living with his second wife. Since the petitioner is an accused, this Court is not inclined to transfer the investigation, therefore, this petition is dismissed as devoid of merits.

5.With the above observations, this Criminal Original Petition is dismissed. सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

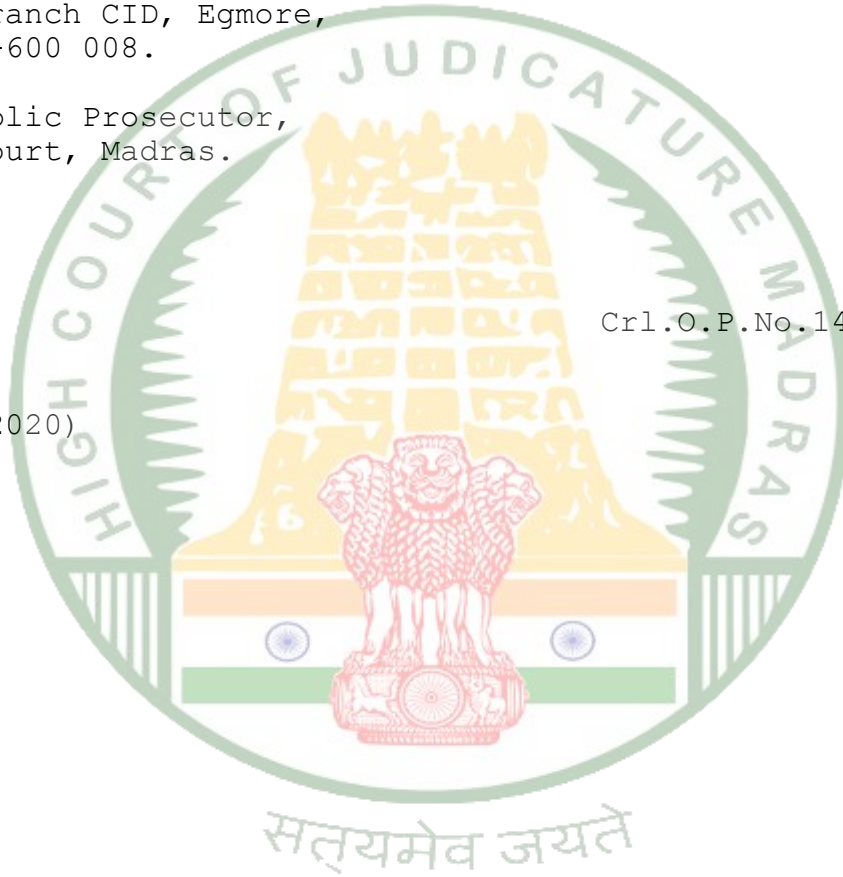
vsn

To

- 1.The Superintendent of Police,
Villupuram District,
Villupuram.
- 2.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.
- 3.The Director General of Police,
Crime Branch CID, Egmore,
Chennai-600 008.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.14047 of 2020

SPD(CO)
SP(07/10/2020)



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