

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

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

Cr1.O.P.No.20397 of 2017

Indirani

...Petitioner

Vs.

1.The Superintendent of Police,
CB-CID,
CB-CID Head Office,
Chennai.

2.The Superintendent of Police,
Tirupur District, Tirupur.

3.The Sub-Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur.

(Crime No.359/2016)

...Respondents

PRAYER: This Criminal Original Petition filed under section 482 of Cr.P.C., directing to withdraw the case in Crime No.359/2016 on the file of the third respondent herein and transfer the same to the file of the first respondent and debut an officer in the cadre of Inspector and alter the Section 174 to Section 306 IPC.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.K.Prabakar

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

This petition has been filed for transfer of investigation from the file of the third respondent to any other Investigation Agency and also for a direction to the new Investigation Agency to alter the offence from Section 174 to Section 306 of IPC.

2. The learned Additional Public Prosecutor would submit that the third respondent registered a case in Crime No.359 of 2016 for the offence under Section 174 of IPC. After completing the investigation, it is found that it is a case of suicide and as such, the section is referred as mistake and the final report has been sent to the concerned Revenue Judicial Officer. Therefore, no investigation is pending on the file of the third respondent and as such, change of investigation cannot be ordered now. Therefore, the third respondent is directed to file a charge sheet in Crime No.359 of 2016 before the concerned Magistrate Court within a period of four weeks from the date of receipt of a copy of this order, after serving notice to the petitioner. On receipt of the same, the petitioner/defacto complainant is at liberty to approach the concerned Magistrate Court by way of a protest petition in the manner known to law.

3. Accordingly, the Criminal Original Petition is dismissed.
No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssb

To

1.The Superintendent of Police,

CB-CID,

CB-CID Head Office,

Chennai.

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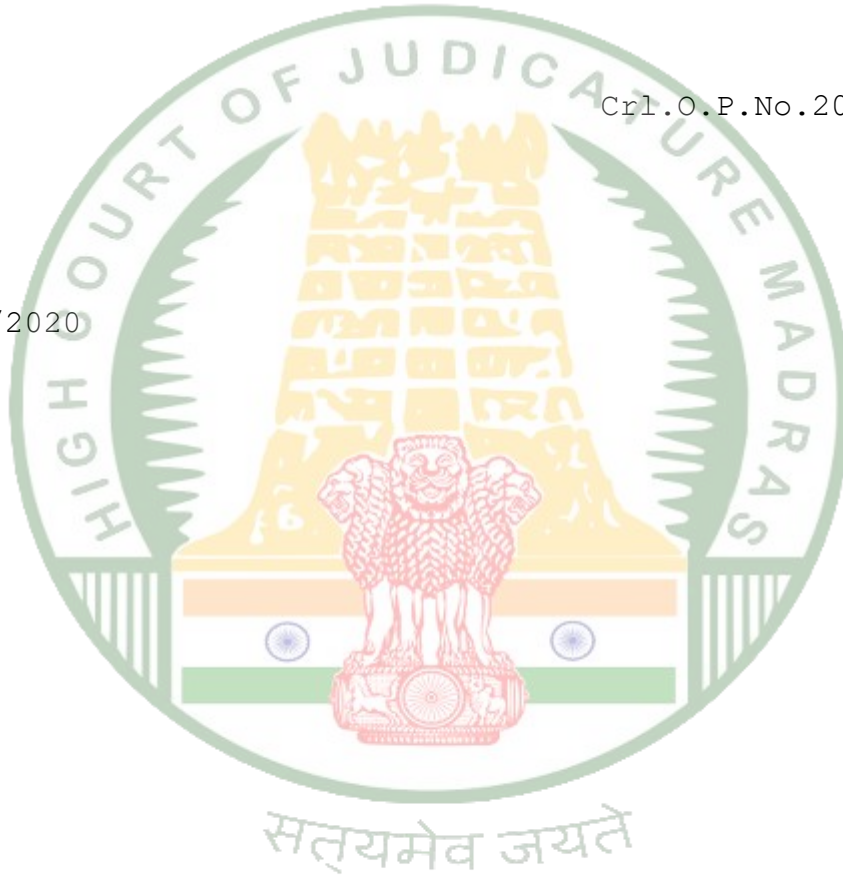
2.The Superintendent of Police,
Tirupur District, Tirupur.

3.The Sub-Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur.

Crl.O.P.No.20397 of 2017

MR (CO)

KKV/03/09/2020



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