

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.26898 of 2019

M.Ramesh

.. Petitioner/Defacto
Complainant

Vs.

1. The Superintendent of Police,
The Office of the Superintendent of Police,
Namakkal District.
2. The Inspector of Police,
Molasi Police Station,
Namakkal District.
3. The Sub-Inspector of Police,
Molasi Police Station,
Namakkal District.
4. The Deputy Superintendent of Police,
CBCID Namakkal Range,
Office of the Deputy Superintendent of Police,
CBCID, Namakkal District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation pending on the file of the 2nd and 3rd respondents herein in Crime No.90 of 2019 dated 18.08.2019 to the 4th respondent herein.

For Petitioner : Mr.N.Ravishankar Vallatharasu

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation pending on the file of the 2nd and 3rd respondents herein in Crime No.90 of 2019 dated 18.08.2019 to the 4th respondent herein.

2. The learned counsel for the petitioner would submit that the petitioner's wife eloped with one Perumal along with two

female children. Thereafter, she found missing, hence the petitioner lodged a complaint. It was registered as women missing and thereafter, the second respondent did not take any action on the complaint and also not taken action as against the accused persons.

3. The learned Additional Public Prosecutor would submit that after registering the FIR in Crime No.90 of 2020, it was found that one of the daughter of the petitioner was buried by his wife along with one Perumal. Therefore, the offences have been altered under Sections 304 and 201 of IPC as against his own wife and the said Perumal. Further, the occurrence took place within the jurisdiction of Kolathur Police Station, Salem District. Therefore, the second respondent has transferred the entire investigation to the Inspector of Police, Kolathur Police Station, Salem District and it is pending for further investigation.

4. Considering the facts and circumstances of the case and submission made by the learned Additional Public Prosecutor, the Inspector of Police, Kolathur Police Station, Salem District is directed to 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. If any materials are found to attract the offence under Section 302 of IPC, the Inspector of Police, Kolathur Police Station is directed to alter/include the offence accordingly.

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

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

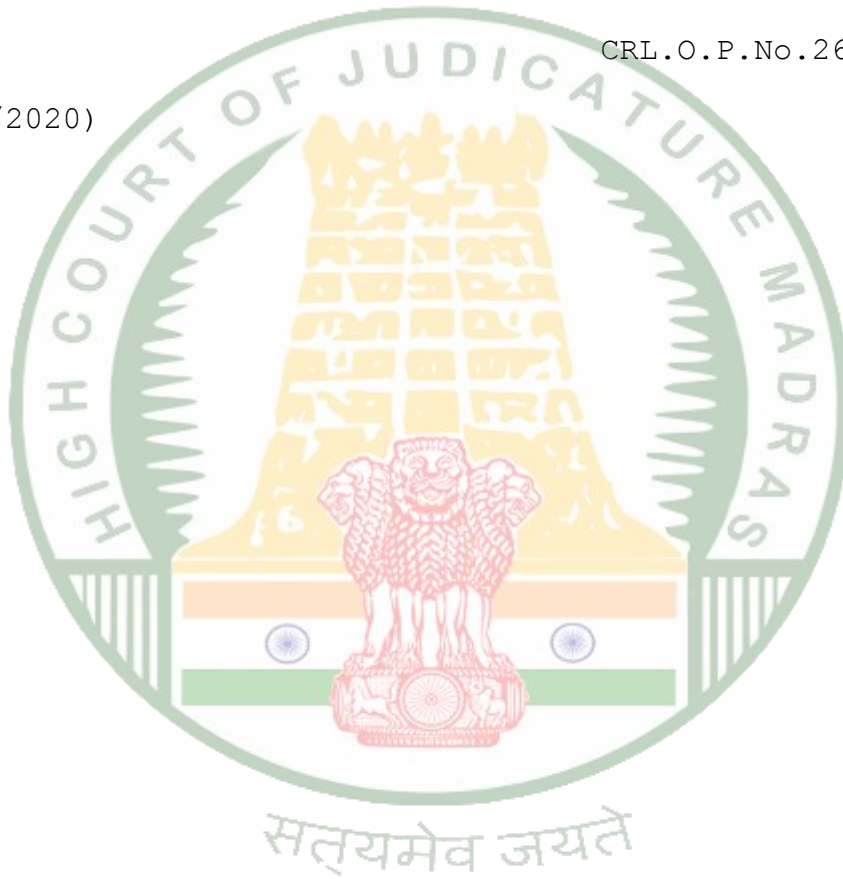
1. The Superintendent of Police,
The Office of the Superintendent of Police,
Namakkal District.
2. The Inspector of Police,
Molasi Police Station,
Namakkal District.

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3. The Sub-Inspector of Police,
Molasi Police Station,
Namakkal District.
4. The Deputy Superintendent of Police,
CBCID Namakkal Range,
Office of the Deputy Superintendent of Police,
CBCID, Namakkal District.
5. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.26898 of 2019

MR(CO)
RMP(30/09/2020)



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