



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P(MD).No.4673 of 2020

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S.Sendhooran

... Petitioner

Vs

1.The Superintendent of Police,  
Ramanathapuram.

2.The Deputy Superintendent of Police,  
Ramanathapuram Division,  
Ramanathapuram District.

3.The Revenue Divisional Officer,  
Ramanathapuram.

4.The Inspector of Police,  
Kenikkarai Police Station,  
Ramanathapuram.

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the first respondent to change the investigation in Crime No.338 of 2019, from the fourth respondent to some other investigation agency.

For Petitioner : M/s.Porkodi Karnan  
for M/s.Polax Legal Solutions

For Respondents : Mr.A.Robinson  
Government Advocate (Crl. side)

### ORDER

The petitioner seeks transfer of investigation in Crime No.338 of 2019, from the fourth respondent to some other investigation agency.

2.The petitioner's daughter died under un-natural circumstances on 19.09.2019 at Ramanathapuram. The petitioner's daughter was given in marriage on 24.08.2018 to one Sathyamoorthy, S/o.Muniasamy. The petitioner's daughter gave birth to a child sometime in July 2019. When the child was two months old, the petitioner's daughter is alleged to have committed suicide. The petitioner suspected it to be a case of murder. The petitioner has also specifically alleged that the child was subjected to dowry related cruelty. Such



serious allegations have been summarily sought to be closed as action dropped. Of course till date, the said final report has not been filed. I fail to appreciate the conduct of the fourth respondent. This is not a case, in which, final report can be filed as action dropped.

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3. Even if the petitioner's daughter had committed suicide, it may still attract the offence under Section 304(B) of IPC. One has to take note of the fact that the marriage has taken place on 24.08.2018. Within 13 months from the date of marriage the occurrence has taken place. Two months old child had also been left behind. There is every substance in the grievance expressed by the petitioner, as regards the manner in which, the investigation has been conducted.

4. Therefore, I direct the first respondent to transfer the investigation of the case from the fourth respondent to the file of the Deputy Superintendent of Police, Keelakarai, Ramanathapuram District. The fourth respondent will hand over the case files immediately to the Deputy Superintendent of Police, Keelakarai, Ramanathapuram District, without any delay. The Deputy Superintendent of Police, Keelakarai, is directed to conclude the investigation, within a period of four weeks thereafter.

5. With this direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Superintendent of Police,  
Ramanathapuram.

2. The Deputy Superintendent of Police,  
Ramanathapuram Division,  
Ramanathapuram District.

3. The Deputy Superintendent of Police,  
Keelakarai, Ramanathapuram District.



4.The Revenue Divisional Officer,  
Ramanathapuram.

5.The Inspector of Police,  
Kenikkarai Police Station,  
Ramanathapuram.

6.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.POLEX LEGAL SOLUTIONS, Advocate ( SR-11890[F] dated  
16/03/2020 )

Crl.O.P(MD).No.4673 of 2020  
16.03.2020

NS(CO)  
TR(17.03.2020)3P 8C