



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD)No.14210 of 2020

K.Baskaran

... Petitioner

vs.

1)The Director General of Police,
O/o. The Director General of Police,
Chennai.

2)The Inspector General of Police (South Zone),
O/o. The Inspector General of Police (South Zone),
Madurai.

3)The Superintendent of Police,
Crime Branch Crime Investigation Department (CBCID),
SIDCO Electronic Complex Block No.3,
1st floor,
Guindy Industrial Estate,
Chennai-32.

4)The Inspector of Police,
Manamadurai Police Station,
Sivagangai.

... Respondents

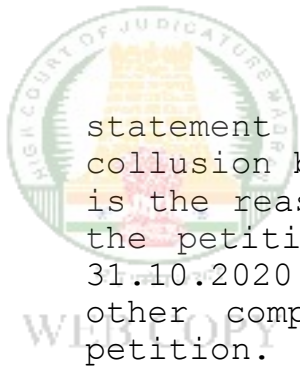
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 2nd respondent to transfer the investigation in Crime No.670 of 2020 from the file of the 4th respondent to the 3rd respondent.

For Petitioner	: Mr.S.M.A.Jinnah
For Respondents	: Mr.V.Neelakandan
	Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent to transfer the investigation in Crime No.670 of 2020 from the file of the 4th respondent to the 3rd respondent.

2.The learned counsel for the petitioner would state that though the 4th respondent/police registered a case regarding the death of the petitioner's brother Ramesh as suspicious death under Section 174 Cr.P.C., and sent the dead body for postmortem, till now the 4th respondent has not taken any action against the culprits, whereas, he had threatened the eye-witnesses not to give any



statement against the culprits. It appears that there is a collusion between the 4th respondent/police and the culprits and that is the reason why he refused to take appropriate action. Therefore, the petitioner sent representations to the respondents 1 to 3 on 31.10.2020 and 16.11.2020 seeking transfer of investigation to any other competent agency, but no action was taken. Hence, this petition.

3.The Inspector of Police, Manamadurai Police Station, Sivagangai, has filed a counter affidavit. The learned Additional Public Prosecutor would submit that the 4th respondent/police has recorded 161(3) statements from the related persons of the deceased and as per the complaint, the deceased was called by one Muthuramu through mobile phone and therefore, mobile tower location and call data records have been requested through the District Superintendent of Police and the investigation is pending for the above details and also the postmortem report. He would also state that no dying declaration was given by the deceased and the investigation is going in the right direction and therefore, would pray that transfer of investigation is not necessary.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents.

5.After going through the counter affidavit filed by the 2nd respondent, this Court is satisfied that the investigation in this case is going on the right direction. But since the petitioner has got some grievance that the 4th respondent/police has not investigated the case properly, ends of justice would be met by directing the Deputy Superintendent of Police to monitor the investigation. Accordingly, there shall be a direction to the Deputy Superintendent of Police, Manamadurai Sub-Division, Sivagangai District, to monitor the investigation in Crime No.670 of 2020 conducted by the 4th respondent/police and the 4th respondent/police shall complete the investigation and file the final report before the court concerned within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

- 1) The Director General of Police,
O/o. The Director General of Police,
Chennai.
- 2) The Inspector General of Police (South Zone),
O/o. The Inspector General of Police (South Zone),
Madurai.
- 3) The Superintendent of Police,
Crime Branch Crime Investigation Department (CBCID),
SIDCO Electronic Complex Block No.3,
1st floor,
Guindy Industrial Estate,
Chennai-32.
- 4) The Inspector of Police,
Manamadurai Police Station,
Sivagangai.
- 5) The Deputy Superintendent of Police,
Manamadurai Sub-Division,
Sivagangai District.
- 6) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
Crl.O.P(MD)No.14210 of 2020
DATED : 17.12.2020

VB (05.01.2021) 3P 7C