



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2020**

CORAM:

**THE HON'BLE MR.JUSTICE V.BHARATHIDASAN**

**Crl.O.P.(MD)No.18245 of 2016**

WEB COPY

A.Mahalingam

: Petitioner

Vs.

1.The Deputy Superintendent of Police,  
CBCID Wing, Narimedu,  
Madurai.

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

3.The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.  
(In Crime No.81/2016).

: Respondents

Prayer: Petition is filed under Section 482 of the Code of Criminal Procedure praying to pass an order directing the change of investigation from the third respondent, entrusting the investigation to the first respondent to investigate through any of his subordinate officer or to any other competent authority.

For Petitioner : No Appearance

For Respondents

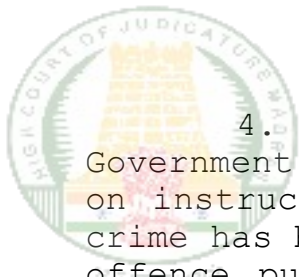
: Mr.K.Suyambulinga Bharathi,  
Government Advocate (Crl.side)

**ORDER**

Earlier, when the matter was listed thrice, there was no representation on behalf of the petitioner. Hence, the matter was directed to be listed today (05.08.2020) under the caption '**for orders**'. Even today, when the matter is called, there is no representation on his behalf.

2. The present petition has been filed to transfer the investigation in Crime No.81 of 2016 from the file of the third respondent to the first respondent or any other competent authority.

3. The present petition has been filed on the ground that the petitioner's daughter, by name Sakthi was found dead in suspicious circumstances and hence, the petitioner has given a complaint, based on which, a crime has been registered for the offence under Section 174 of the Code of Criminal Procedure. After registering the First Information Report, there is no progress in the investigation and hence, the present petition has been filed seeking transfer of investigation.



4. Today, when the matter came up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents, on instructions, would submit that now, the investigation in this crime has been completed and the crime has been altered into for the offence punishable under Section 302 of the Indian Penal Code and the accused was also identified and arrested and final report has also been filed before the learned Judicial Magistrate, Melur.

5. Considering the above facts and circumstances of the case and also considering the fact that the investigation in this crime has been completed and the crime has been altered and the accused was also identified and arrested, the final report has also been filed before the learned Judicial Magistrate, Melur, this Court is of the view that no further adjudication is required in this case and hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

SML

To

- 1.The Deputy Superintendent of Police,  
CBCID Wing, Narimedu,  
Madurai.
- 2.The Superintendent of Police,  
Madurai District, Madurai.
- 3.The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Order made in

**CrI.O.P. (MD)No.18245 of 2016**

Dated: 05.08.2020

**SMA/17/08/2020/2P/5C**

<https://hcservices.ecourts.gov.in/hcservices/>