



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 2111 of 2016
and
W.M.P. (MD) No. 1836 of 2016

Vincent

... Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District.
2. The Deputy Superintendent of Police,
Colachel, Kanyakumari District.
3. The Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.
4. The Special Sub Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.
5. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
6. The Inspector,
Central Bureau of Investigation
(CBI), Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to transfer the investigation pending in Crime No. 424 of 2015 on the file of the Inspector of Police, Pudukadai Police Station, Kanyakumari, third respondent herein, under investigation by the fifth respondent herein to the Inspector of Police, Central Bureau of Investigation, Chennai, to the sixth respondent herein for fair and speedy investigation within a reasonable time.

For Petitioner

: Mr S. Russel Raj

For Respondents

: Mr. A. Robinson

Government Advocate (Crl. side)



remains that the petitioner's mother was brought dead to the hospital. It is true that the second opinion given by the police surgeon is in favour of the respondents. But then, the accident register dated 17.09.2015 issued by the medical officer, Kuzhithurai Government Hospital, mentions the presence of certain minor injuries on the body of Nesammal. The final opinion dated 11.04.2016 given by the Professor of Forensic Medicine indicates that the deceased appear would have died blunt injury on the abdomen. The petitioner has levelled the allegations against the police personnel of Pudukadai Police Station. In the very nature of things, an investigation by the local police will not inspire any one's confidence. Therefore, I direct the Inspector of Police, CBCID, Nagercoil, to conduct investigation in the matter and file a final report within a period of twelve weeks from the date of receipt of a copy of this order. The first respondent shall ensure that all the papers are handed over to the Inspector of Police, CBCID, Nagercoil, without delay.

6.The writ petition stands allowed on these terms. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Colachel, Kanyakumari District.
- 3.The Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.
- 4.The Special Sub Inspector of Police,
Pudukadai Police Station,
kanyakumari District.
- 5.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.



6.The Inspector,
Central Bureau of Investigation
(CBI), Chennai.

7.The Inspector of Police,
CBCID, Nagercoil.

8.The Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.RUSSEL RAJ, Advocate (SR-5968[F] dated 12/02/2020)

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and
W.M.P. (MD) No.1836 of 2016
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SDS (16.06.2020) 4P-10C