



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 11.12.2020

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Cr1.OP(MD)No.16509 of 2017

Karuppaiyan

: Petitioner

Vs.

State through

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.
In Crime No.227 of 2017.

3.The Deputy Superintendent of Police,
CBCID, Thanjavur District,
Thanjavur.

: Respondents

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to direct the 1st respondent to transfer the investigation in Crime No.227 of 2017 on the file of the 2nd respondent to the 3rd respondent and pass such further or other orders.

For Petitioners : Mr.S.Muniyandi

For Respondents : Mr.K.Karmegam
Government Advocate
(Criminal side)

O R D E R

(Thro' VC)

This Criminal Original Petition is filed to direct the 1st respondent to transfer the investigation in Crime No.227 of 2017 on the file of the 2nd respondent to the 3rd respondent.

2.The case of the petitioner is that he is having three female children and one son and on 31.07.2017 when he went to the temple festival for selling of the bangles and other household article, some persons namely Devaraj, Muthulakshmi, Ajith Kumar, Arunkumar, Kumar, Rajeswari, Mayandi, Sudha and Alex Pandian were wrongfully entered in to the petitioner's house and shouted and when the petitioner's son was questioned the same, they were used filthy



language as against the petitioner's son and due to which, his son consumed poison and he was admitted in the Thanjavur Medical College Hospital on 31.07.2017 and subsequently, he was died on 04.08.2017. Hence, this case.

3.The learned counsel appearing for the petitioner submitted that since the petitioner's son was scolded by the proposed accused persons, he consumed poison and thereafter, he died on 04.08.2017 in the Government Hospital, Thanjavur and the petitioner approached the 2nd respondent to take appropriate action as against the proposed accused persons and since, no action was taken, he sent a representation to the respondents 1 and 2 for taking necessary action against the proposed accused and now, seeking transfer of the investigation in Crime No.227 of 2017 to the 3rd respondent police.

4.On the other hand, the learned Government Advocate (Criminal side) appearing for the respondents submitted that in this case, the petitioner's son Saminathan consumed poison and subsequently, he died on 04.08.2017 in the Medical College Hospital, Thanjavur and subsequently, the 2nd respondent police, after enquiry, closed the case as **"Further Action Dropped"** and hence, there is no necessity to transfer the case to some other agency.

5.The above said fact is not disputed by the learned counsel appearing for the petitioner.

6.Recording the above, this court is of the view that there is no necessity to keep this criminal original petition pending and accordingly, this criminal original petition is dismissed as infructuous. However, the petitioner is at liberty to work his remedy before the appropriate forum in the manner known to law.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

er

To,

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Pattukkottai Police Station,
Thanjavur District.



3. The Deputy Superintendent of Police,
CBCID, Thanjavur District,
Thanjavur.

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

Cr1.OP(MD)No.16509 of 2017
11.12.2020

VB (28.12.2020) 3P 5C