

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2021

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.269 of 2021

Divyabharathi

.. Petitioner

Vs

1. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet,
Chennai - 600 007.
2. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
T-Nagar District,
Chennai.
3. The Inspector of Police,
Valasarawakkam Police Station,
Chennai.
(Crime No.615 of 2020)

.. Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 & 2 to transfer the investigation of the case in Crime No.615 of 2020 on the file of the 3rd respondent herein to the Inspector of Police, CBCID, Chennai.

For Petitioner :Mr.V.Illanchezian

For Respondents :Mr.Mohammed Riyaz
Additional Public Prosecutor
for R1 to R3

ORDER

This petition has been filed seeking for transferring the investigation pending on the file of the 3rd respondent in Crime No.615 of 2020 to some other agency or to any other superior officer.

2.The case of the petitioner is that his brother Jeevanandham died under suspicious circumstance on 03.10.2020. An FIR came to be registered in Crime No.615 of 2020 under Section 174 Cr.P.C. The grievance of the petitioner is that no

effective investigation has been conducted and it is a case of murder and not a case of suicide as attempted to be projected by the prosecution.

3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4. The learned Additional Public Prosecutor on instructions submitted that the postmortem was conducted on 04.10.2020 and the Viscera Report is awaited. The learned counsel submitted that effective investigation is being conducted by the 3rd respondent and there is no requirement to transfer the investigation at this stage. The learned counsel further submitted that based on the report received by the 3rd respondent, necessary alteration will be made in the FIR and further investigation will be conducted.

5. Taking into consideration the facts and circumstances of the case, this Court deems it appropriate to direct the Assistant Commissioner, Valasarawakkam to monitor the investigation that is conducted by the 3rd respondent. The 3rd respondent is directed to effectively continue with the investigation and file a final report or a closure report, as the case may be, within a period of three months from the date of receipt of a copy of this order.

6. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
T-Nagar District, Chennai.
3. The Inspector of Police,
Valasarawakkam Police Station, Chennai.
4. The Assistant Commissioner, Valasarawakkam
5. The Public Prosecutor, High Court of Madras.
+1cc to Mr.V.Illanchezian, Advocate SR.No. 4513

Crl.O.P.No.269 of 2021

A.SK(16.02.2021) .

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