

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.921 of 2021

Merunathan ... Petitioner

vs.

- 1.State Rep. By
The Deputy Commissioner of Police,
Ambattur District, Chennai.
 - 2.The Assistant Commissioner of Police,
Pattabiram, Chennai.
 - 3.The Inspector of Police (L & O)
T-9, Pattabiram Police Station,
Chennai.
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to complete the investigation and to file the final report in Cr. No.641/2020 dated 12.09.2020, on the file of the third respondent pending investigation.

For Petitioner : Mr. P.C.Santhoshkumar

For Respondents : Mr.C.Raghavan
Govt. Advocate (Crl. Side)

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O R D E R

The Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.641 of 2020 pending on the file of the third respondent.

2. A Status Report has been filed by the third respondent and the relevant portions in the Status Report are extracted hereunder:

"3. I submit that during the course of investigation, I went to the scene of occurrence, drew rough sketch, prepared observation mahazar in the presence of witnesses namely Tr.Suriya and Tr.Sivakumar and also examined the following witnesses and recorded their statements:

- (i)Tr.Merunathan- Defacto complainant/petitioner herein
 - (ii)Tmt.Maheswari - Daughter of the deceased
 - (iii)Tr.Devanathan- Brother of the deceased
 - (iv)Tr.Suriya - Observation mahazar witness
 - (v)Tr.Sivakumar - Observation mahazar witness
- Witnesses 1 to 3 corroborates the same version of the complaint.

4. I submit that immediately, the FIR along with other relevant records were submitted before the Revenue Divisional Officer, Thiruvallur Sub Division, Thiruvallur District. On the same day, the R.D.O. has conducted inquest on the deceased body in the presence of Panchayatars. A case is pending for R.D.O. enquiry.

5. I submit that during the course of investigation, on 28.09.2020, I have obtained Post Mortem Certificate from Assistant Professor of Forensic Medicine, Govt. Hospital, Kilpauk and recorded his statement, in which he has given final opinion stating that "the deceased would have died of coronary artery heart decease".

6. I submit that at this stage, the petitioner/complainant filed this present petition to complete the investigation of this case in Crime No.641 of 2020 on the file of the respondent police to conduct the investigation of this case.

7. I submit that the respondent police conducted the investigation of this case in a fair, free and impartial manner in accordance with law and the same is pending for R.D.O. enquiry. As soon as I receive the same, I will complete the investigation of this case and file a final report before concerned Court."

3. It is seen from the Status Report that the investigation has been completed and the third respondent is only awaiting for the RDO Report. Thereafter, based on the RDO Report, the Final Report will be filed before the concerned Court. This process shall be completed by the third respondent within a period of four weeks and the Final Report shall be filed before the concerned Court.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv

To

1. The Deputy Commissioner of Police,
Ambattur District, Chennai.
2. The Assistant Commissioner of Police,
Pattabiram, Chennai.
3. The Inspector of Police (L & O)
T-9, Pattabiram Police Station,
Chennai.
4. The Revenue Divisional Officer,
Thiruvallur Sub Division,
Thiruvallur District
5. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

PVS (CO)
SM/05/03/2021



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