

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.04.2021
CORAM
THE HONOURABLE MR.JUSTICE M.DHANDAPANI
Crl.O.P.No.6391 of 2018

R.V.Muruganantham,
S/o.R.Veerapillai

... Petitioner

Vs.

State Represented by

1. The Commissioner of Police,
Vepery, Chennai.
2. The Deputy Commissioner of Police,
St. Thomas Mount,
Chennai-600 016.
3. The Assistant Commissioner of Police,
Madipakkam Range,
Madipakkam, Chennai-600 091.
4. The Inspector of Police,
S-10, Pallikaranai Police Station,
Pallikaranai,
Chennai.
5. The Manager - Human Resource,
M/s.MAERSK,
Prince Infocity, 286/1, Old Mahabalipuram Road,
Nehru Nagar, Perungudi,
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking a direction to transfer the Investigation in Crime No.999 of 2017 dated 13.04.2017, pending on the file of 4th Respondent to some other agency.

For Petitioner : Mr.K.Balasubramaniam

For Respondents: Mr.Shanmuga Rajeswaran
Government Advocate for
R1 to R4
M/s.Adeesh Anto for R5

ORDER

This Criminal Original Petition has been filed seeking direction to transfer the investigation in Crime No.999 of 2017, pending on the file of the 4th respondent police to some other agency.

2. Learned counsel for the petitioner submits that the petitioner's brother viz., R.V.Selvapandian, was working with the fifth respondent. On the fateful day i.e., 12.04.2017, the said Selvapandian returned from office at late night. Thereafter, he committed suicide by hanging. Immediately, the petitioner lodged a complaint with the fourth respondent, who, in turn, registered a FIR in Crime No.999 of 2017 dated 13.04.2017 under Section 174 Cr.P.C. and the petitioner requested the fifth respondent to provide access to the laptop so that he could access the mails of deceased brother in order to find out the possible reasons for the death of his brother. The fifth respondent did not provide access to his brother's laptop, and the fourth respondent has not taken any effective steps till date to elicit the possible cause of suicide and has not conducted the enquiry effectively to ascertain the possible reason for suicide of his brother. Therefore, left with no other option, the petitioner has approached this Court by way of filing the present petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) for the respondents 1 to 4 and the learned counsel for the 5th respondent and perused the materials available in the typed set of documents.

4. Though the prayer sought for in this petition is for transfer of investigation from the file of the 4th respondent to some other agency, however, when the Court pointed out that but for the slackness in investigation, nothing adverse has been pointed out against the 4th respondent for the purpose of seeking transfer of investigation and, therefore, it would not be in the interest of either party to transfer the investigation from the file of the 4th respondent at this point of time. In this regard, learned counsel appearing for the petitioner submitted that in such circumstances, this Court may direct the 4th respondent/investigating agency to complete the investigation and file the final report within a time frame fixed by this Court.

5. Taking into consideration the entire factual matrix and also the fact that the crime pertains to the year 2017 and a period of four years have been passed since, this Court is of the considered opinion that the 4th respondent/investigating

agency should be directed to complete the investigation within a prescribed period.

6. Accordingly, this petition is disposed of with a direction to the 4th respondent police to complete the investigation in Crime No.999 of 2017, pending on its file, within a period of six months from the date of receipt of a copy of this order, if not completed by now.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Vepery, Chennai.
2. The Deputy Commissioner of Police,
St. Thomas Mount,
Chennai-600 016.
3. The Assistant Commissioner of Police,
Madipakkam Range,
Madipakkam, Chennai-600 091.
4. The Inspector of Police,
S-10, Pallikaranai Police Station,
Pallikaranai,
Chennai.
5. The Public Prosecutor,
High Court of Madras, Chennai.

+1 cc to Mr.Adeesh Anto, Advocate, SR.NO.22005

Cr1.O.P.No.6391 of 2018

PCH(CO)
NS(10/05/2021)

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