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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.7938 of 2018
and
Crl.MP.No.4073 of 2018

B.Ramachandran ... Petitioner/Accused

Vs.

1. The State Rep by the Superintendent of Police,
Office of the Superintendent of Police,
Vellore District.
2. The State Rep by the Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vaniyambadi,Vellore District.
3. The State, Rep by Inspector of Police,
Nattarampalli Police Station,
Vellore District. ...Respondents 1 to 3/Complainant
4. A.Sudha, W/o.Late Anandan
...4th Respondent/Defacto Complainant

PRAYER: Criminal Original petition has been filed under Section 482 of Cr.P.C prayed to direct the respondents police to transfer the entire investigation pertaining in Crime No.240/2015 pending on the file of the 2nd and 3rd respondents police to the Inspector, CBCID/Crime Investigation Department or District Crime Branch, Vellore or any other independent agency.

For Petitioner : Mr.MA.P.Thangavel

For Respondents : Mr.C.E.Pratap,
Government Advocate (Crl.Side)

ORDER

This Criminal Original petition has been filed by the petitioner/accused to direct the respondents police to transfer



the entire investigation pertaining to Crime No.240/2015 pending on the file of third respondent's police to the Inspector, CBCID/Crime Investigation Department, or District Crime Branch, Vellore.

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2. The case of the prosecution is that on 02.08.2015 at about 8.30p.m, the victim viz., Anandan, husband of the defacto complainant viz A.Sudha had gone out from his house and was found dead during the early hours of 03.08.2015 and at about 1.00 am, the victim's body was brought to her house. Noticing several injuries on his body, a case was registered for suspicious death. Initially, the case was registered under Section 174 of Cr.P.C and subsequently altered into Section 304 of IPC. Further, case of the prosecution is that the victim was electrocuted by an electric fence installed in a mango orchard by the petitioner herein.

3. It was alleged by the petitioner that the said fence was installed by him in the nearby land belonging to his elder brother, to keep out rabbits and wild boars and the victim, who had gone there to hunt along with his friends had accidentally stepped on the same and was electrocuted.

4. Aggrieved over the registration of case against him, the petitioner has filed Crl.OP.No.4445 of 2017 before this court to quash the first information report along with alteration report on the file of the third respondent police in Crime No.240 of 2015 for the alleged offence. The petitioner has stated that the Investigation Officer, Nattrampalli Police Station, due to previous enmity, falsely implicated the petitioner in the case. This Court by the Order dated 03.03.2017 directed the Deputy Superintendent of Police, Vaniyambadi, Vellore District to investigate the case and file a final report within a period of two months from the date of receipt of a copy of this order. However, this Court refused to quash the FIR and the investigation is not completed.

5. Considering the facts and circumstances, the Deputy Superintendent of Police, Vaniyambadi, Vellore District is directed to investigate the case and file a final report within a period of four weeks from the date of receipt of a copy of this order



6. With the above directions, this Criminal Original Petition is dismissed. Consequently, connected criminal miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Vv
To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Vellore District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vaniyambadi,Vellore District.
3. The Inspector of Police,
Nattarampalli Police Station,
Vellore District.

+1cc to Mr.Ma.P.Thangavel, Advocate Sr.29642

Cr1.O.P.No.7938 of 2018
and
Cr1.MP.No.4073 of 2018

pl[co]
srg 23/07/2021