

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.17576 of 2020

B.Devaki,
W/o.Balakrishnan.

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the District Superintendent of Police,
Nagapattinam..

2.The Inspector of Police,
Pudupattinam Police Station,
Nagapattinam District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 1st respondent to withdraw the investigation of the case in Crime No.225 of 2019 dated 23.12.2019 on the file of 2nd respondent and transfer the same to any other appropriate officer or agency to conduct fair and free investigation and file the final report before the Jurisdictional Magistrate within a time frame as fixed by this Court.

For Petitioner : Mr.M.Raja

For Respondents: Mr.C.Raghavan
Government Advocate.

ORDER

This Criminal Original Petition has been filed seeking for transfer of investigation that is pending before the second respondent in Crime No.225 of 2019.

2.An F.I.R has been registered under Section 174 Cr.P.C., on the ground of the suspicious death of one Nithya, who is the daughter of the petitioner. According to the petitioner, the husband of the deceased had done away with her daughter. The grievance of the petitioner is that an effective investigation has not been conducted in this case and therefore the petitioner has approached this Court seeking for transfer of investigation.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents submitted that the investigation has been completed in all respects and the postmortem certificate as well as the report of the Revenue Divisional Officer has also been received by the investigating officer and the second respondent is only awaiting for the viscera report. The learned Additional Public Prosecutor therefore sought for some time to file the final report in this case.

4.Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to complete the investigation and file a final report within a period of three months from the date of receipt of copy of this order. If, after the filing of the final report, the petitioner is not satisfied in the manner in which the investigation was conducted, it is always left open to the petitioner to redress her grievance in the manner known to law.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Office of the District Superintendent of Police,
Nagapattinam..

2.The Inspector of Police,
Pudupattinam Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.R.Abdur rahman, Advocate Sr.No. 4778

CrI.O.P.No.17576 of 2020

RSI (CO)
RMP (23/02/2021)