



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P. (MD)No.3211 of 2021

Manivel

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Deputy Superintendent of Police,
Musiri, Trichy District.

3.The Inspector of Police,
T.Pettai Police Station,
T.Pettai, Trichy District.

4.The Joint Director and Head of Zone,
Central Bureau of Investigation,
3rd Floor, E.V.Sambath Building,
College Road, Chennai-6.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to withdraw the investigation in Crime No.14 of 2020 on the file of the third respondent and transfer it to the file of the fourth respondent or any other appropriate agency to conduct fair and free investigation and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner : Mr.K.Arunraj

For R1 to R3 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

For R4 : Mrs.L.Victoria Gowri
Assistant Solicitor General of India

ORDER

The present petition is filed seeking transfer of investigation from the file of the third respondent herein to the file of the fourth respondent.



2.The case of the petitioner is that the original complaint has been registered for the offences punishable under Sections 279, 337 and 304A of IPC. Later, he came to know that the deceased was having a conversation with the wife of the suspect. But the police have not taken any steps. He suspects that it is a case of murder. He has also seen that there was only one deep injury on the occipital area and fracture on the scalp region. So, this injury would not have been caused due to the accident. Hence, the petitioner filed the present petition before this Court.

3.Heard the learned counsel on either side.

4.The learned Government Advocate (Criminal side) appearing for the respondents 1 to 3 would submit that even after conducting proper investigation and examining the witnesses available near the place of occurrence, it did not reveal anything to show that it is a case of murder. However, the investigation is undertaken by the investigation officer in a proper and unbiased manner.

5.The learned counsel for the petitioner would submit that in such events, a direction may be issued to the second respondent herein to supervise the investigation taken by the third respondent. The request appears to be reasonable and it is also conceded and considered.

6.In the circumstances, the second respondent, namely, the Deputy Superintendent of Police, Musiri, Trichy District, shall supervise the investigation in Crime No.14 of 2020 and he shall direct the third respondent, the Inspector of Police, T.Pettai Police Station, T.Pettai, Trichy District, to complete the investigation and file a final report before the concerned Court within a period of three months from the date of receipt of a copy of this order.

7.Accordingly, this Criminal Original Petition is disposed of with the above said directions.

Sd/-

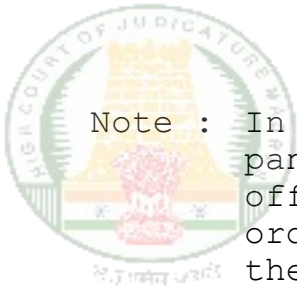
Assistant Registrar(Writs)

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/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The Superintendent of Police,
Trichy District, Trichy.
- 2.The Deputy Superintendent of Police,
Musiri, Trichy District.
- 3.The Inspector of Police,
T.Pettai Police Station,
T.Pettai, Trichy District.
- 4.The Joint Director and Head of Zone,
Central Bureau of Investigation,
3rd Floor, E.V.Sambath Building,
College Road, Chennai-6.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.3211 of 2021
27.04.2021

ma (CO)
TR(08.06.2021) 3P 6C