



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 20.10.2021

CORAM

WEB COPY

The Hon`ble Mr. Justice G.ILANGO VAN

Cr1.O.P (MD) .No.6216 of 2021

Sreekumari

... Petitioners

Vs

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(Crime No.57 of 2021)

3.The Deputy Superintendent of Police,
Colachel Sub Division,
Kanyakumari District.
(R3 suo motu impleaded as per the
order of this Court dated 30.4 .2021)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
to direct the 1st respondent to transfer the investigation in Crime
No.57 of 2021 on the file of the 2nd respondent to any other
competent investigation agency and to complete the investigation.

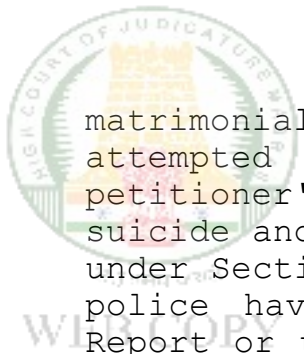
For Petitioner : Mr. S. Muniyandi

For respondents : Mr.R.M. Anbunithi
Additional Public Prosecutor (Cr1.Side)

ORDER

This Criminal Original Petition is filed for issuing a
direction to the 1st respondent to transfer the investigation in
Crime No.57 of 2021 on the file of the 2nd respondent to any other
competent investigation agency and to complete the investigation.

2. The case of the petitioner is that her daughter married
one Rathish kumar and thereafter, the said Rathish Kumar used to
attack her daughter in a drunken mood. She was driven out from her



matrimonial home on 30.01.2021. Later, there was a compromise talk attempted between the parties on 01.02.2021. But, however, the petitioner's daughter on 01.02.2021 at about 9.45 am committed suicide and a case in Crime No.57 of 2021 registered for the offence under Section 174(3) Cr.P.C., In the circumstances, the respondents police have not taken any steps to alter the First Information Report or to investigate the matter. Hence, the petitioner has come forward with the present petition seeking transfer of investigation in Crime No.57 of 2021 on the file of the 2nd respondent to any other competent investigation agency and to complete the investigation.

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor (Crl. Side) appearing for the respondents would submit that based upon the investigation made by the first respondent herein, the case is altered under Section 306 IPC and the alteration report was also submitted before the learned Judicial Magistrate, Eraniel on 27.07.2021.

4. In the circumstances, the grievance of the petitioner is redressed and hence, nothing survives for adjudication in this Criminal Original Petition. The second respondent is directed to complete the investigation and file a final report within a period of five months from the date of receipt of a copy of this order.

5. The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1.The Judicial Magistrate,
Eraniel, Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

3.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.



4.The Deputy Superintendent of Police,
Colachel Sub Division,
Kanyakumari District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

***Crl.O.P (MD) .No. 6216 of 2021
20.10.2021***

RK (28/10/2021) 3P 6C