



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18901 of 2021

WEB COPY

P.Sumathi

... Petitioners/Defacto Complainant

Vs.

1. The Superintendent of Police,
District Police Station,
TVS Tollgate,
Trichy-20,
Trichy District.

2. The Inspector of Police,
Vathalai Police Station,
Vathalai, Trichy,
Trichy District.

...Respondents

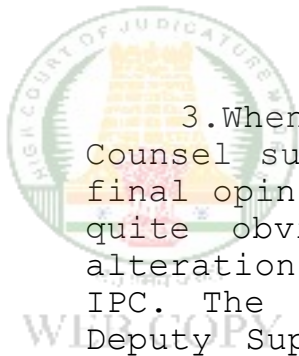
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.304 of 2021 on the file of the second respondent herein to any other investigating agency for free and fair investigation in the light of her representation dated 12.09.2021 within a stipulated period as may fixed by this Court.

For Petitioner : Mr.R.Sakthivel
For Respondents : Mr.M.Veeranthiran
Government Advocate

ORDER

Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents.

2.The petitioner is the defacto complainant in Crime No.304 of 2021 registered on the file of the second respondent under Section 174 Cr.P.C. The petitioner's daughter Gayathiri was given in a marriage to one Mohanraj on 24.08.2020. The petitioner's daughter committed suicide by hanging on 15.08.2021. According to the petitioner, her daughter had complained to her that her husband as well as her mother in law have been torturing her to bring dowry amount of Rs.1,00,000/-. Since *prima facie* allegations are there, the second respondent ought to have filed an alteration report and included the offence under Section 304(B) of IPC. Since it has not been done, the Criminal Original Petition have been filed for transfer for investigation.



3. When the matter was taken up for hearing, learned Government Counsel submitted that the police are awaiting viscera report and final opinion by the postmortem doctor. Since the cause of death is quite obvious, the second respondent is directed to file an alteration report to include the offence under Section 304(B) of IPC. The investigation shall be monitored by the jurisdictional Deputy Superintendent of Police. The final report shall be filed within a period of three months.

4. Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

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.

To

1. The Superintendent of Police,
District Police Station,
TVS Tollgate, Trichy-20,
Trichy District.
2. The Deputy Superintendent of Police,
Trichy.
3. The Inspector of Police,
Vathalai Police Station,
Vathalai, Trichy, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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