



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4129 of 2022

K.R.Sangeetha

...Petitioner

Vs

1. The Commissioner of Police,
Greater Chennai Police,
Veppary,
Chennai 600 007.
2. The Additional Commissioner of Police,
Chennai East District.
3. The Deputy Commissioner of Police,
Office of North Deputy Commissioner of Police,
T.H.Road, Tondiarpet, Chennai - 600 081.
4. The Assistant Commissioner of Police,
Ayanavaram Range,
K-7, Police Station Building,
I.C.F.East Colony,
Chennai - 600 038.
5. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to transfer the investigation in Crime No.31 of 2022 on the file of the 5th respondent police to some of the investigation agency or CBCID.

For Petitioner : Mr.E.Balamurugan

For Respondents: Mr.A.Gokulakrishnan
Additional Public Prosecutor



O R D E R

The case of the Petitioner is that her father Ravi, after the demise of her Mother, married one Gomathi and was living with her at No.15, Santhiyappan Main Street, Otteri, Chennai - 600 012. It is the further case that there is used to be frequent quarrels between her father and his second wife on account of money dispute. While so, on 29.01.2022 at about 08.15 pm, her father had called the Petitioner stating that his second wife was quarrelling with her and asked the Petitioner to come to his house. The Petitioner had gone to her father's house at about 08.30 pm and she had seen her father lying dead on the floor and blood was oozing from the mouth of her father. When she has enquired her father's second wife, she had not given a proper reply and suspecting foul play, the petitioner had given a complaint to the Respondent on the same day. Based on the complaint given by the Petitioner, case in crime No.31 of 2022 was registered under Section 174 of CRPC. Since no further action was taken the Petitioner had sent representation on 05.02.2022 to higher authorities stating that her father called her from his mobile number and informed her that his second wife was assaulting him and had disconnected the phone and suspecting that the death was due to the assault by her father's second wife, she had given representation seeking transfer of investigation to CBCID. Since no action has been taken, the present Petition has been filed seeking for transfer of investigation.

2. Learned counsel for the Petitioner would submit that after the death of the Petitioner's mother, the Petitioner's father had married one Gomathi and they were living separately. On 29.01.2022, the said Gomathi had assaulted the Petitioner's father, resulting in his death, whereas the Respondents have not investigated properly, the present Petition has been filed seeking for transfer of investigation. He would further submit that the petitioner had found injuries on the mouth of her father and she had also seen blood oozing out from his mouth and this was due to the assault by his second wife whereas no investigation has been done by the 5th respondent.

3. Learned Additional Public Prosecutor would submit that the case has been registered under Section 174 of CRPC based on the complaint given by the Petitioner. Investigation is also done in a fair manner. He would further submit that the 5th respondent is waiting for the medical report and opinion of the experts and once the medical report and the opinion of the



experts is obtained, further investigation will be done in accordance with law.

4. Heard the counsels and perused the materials available on record.

5. Based on the complaint given by the petitioner on 29.01.2022, the 5th respondent has registered a case under Section 174 Cr.PC (Suspicious death), the investigation is in the initial stage.

6. This Court is of the opinion, it is not a case warranting transfer of investigation. However, taking into consideration, the facts it would be suffice that a direction can be issued to the Deputy Commissioner of Police, Tondiarpet Range to monitor the investigation.

7. In view of the above, the criminal original petition is disposed of, with a direction to the 3rd respondent/Deputy Commissioner of Police, Tondiarpet to monitor the investigation in Cr.No.31 of 2022 pending on the file of the 5th respondent. The final report shall be filed expeditiously.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

nti/sai
To

1. The Commissioner of Police,
Greater Chennai Police,
Veppary, Chennai 600 007.
2. The Additional Commissioner of Police,
Chennai East District.
3. The Deputy Commissioner of Police,
Office of North Deputy Commissioner of Police,
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K-7, Police Station Building,
I.C.F.East Colony, Chennai - 600 038.



5. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.

6. The Public Prosecutor,
Madras High Court, Madras.

Copy to

The Section Officer,
Criminal Section,
High Court, Madras-104.

+1cc to M/s.E.Blamurugan, Advocate Sr.11797

Cr1.O.P.No.4129 of 2022

rsi[col]
srg 11/03/2022