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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.9051 OF 2022

Mr.E.Thangakumar,
S/o.Late P.Ethuraj

... Petitioner

Versus

1. The Director General of Police, (DGP),
No.1, Kamarajar Salai,
Mylapore, Chennai - 4.
2. The Superintendent of Police,
Superintendent of Police Office,
Kanchipuram District,
Kanchipuram - 631 501.
3. The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram District,
Kanchipuram - 602 105.

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue direction to direct the 1st respondent to transfer the investigation in Crime No.1203/2021 pending on the file of the 3rd respondent to CBCID or any other independent officer under the supervision of Director, Inspector General of Police North.

For Petitioner : Mr.S.Jimraj Milton

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R1 to R3



O R D E R

This Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.1203 of 2021 from the file of 3rd respondent to CBCID or any other independent officer.

2. The grievance of the petitioner is that his younger daughter, who was studying in B.E. AIML 2nd year in Rajalakshmi Engineering College at Sriperumbudur and she died on 12.09.2021. Therefore, there is a strong suspicion on her suicide against the college administration. Hence, a complaint lodged before the 3rd respondent, but so far, the 3rd respondent police has not conducted proper investigation.

3. Heard and considered rival submissions made by learned counsel appearing for petitioner and the learned Addl. Public Prosecutor appearing for respondent and perused the records.

4. On perusal of the status report filed by the 3rd respondent police, the same would reveal that student committed suicide due to some stress and even while her parents were in the campus, she has committed suicide. The investigation and the statements recorded by the police also indicates the same. In such view of the matter, mere suspicion, the investigation cannot be transferred and no specific allegation made against the college authorities also. Whereas the materials unearthed by the investigation clearly indicates that she died out of some depression and stress. Such being the position, the transfer of investigation cannot be sought as a matter of right. Hence, this petition is liable to be dismissed. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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Mylapore, Chennai - 4.



2. The Superintendent of Police,
Superintendent of Police Office,
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3. The Inspector of Police,
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Kanchipuram - 602 105.
4. The Public Prosecutor,
High Court, Madras.

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PM(CO)
PBS/01/07/2022