



WEB COPY



CrI. O.P. No.14782 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CrI. O.P. No.14782 of 2022

Moorthy ... Petitioner

Vs

1. The District Superintendent of Police
Villupuram District
Villupuram.

2. The Deputy Superintendent of Police
Villupuram District
Villupuram.

3. The Inspector of Police
Valavanur Police Station
Valavanur Taluk
Villupuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to transfer the investigation pending in Crime No.166 of 2022 on the file of the third respondent and transfer to CBCID or any other competent agency to conduct the investigation in the manner known to law.

For Petitioner ... Mr.A. Venkatesan
For Respondents ... Mr.A.Gokulakrishnan
Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation pending in Crime No.166 of 2022 on the file of the third respondent and transfer to CBCID or any other competent agency to conduct the investigation in the manner known to law.

2. Heard Mr.A.Venkatesan, learned counsel for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondents.

3. It is the contention of the learned counsel for the petitioner that his brother was admitted in rehabilitation centre and he has committed suicide by hanging. He further submitted that there is no sign of commission of suicide in the body of the deceased.

4. The main grievance of the petitioner is that the third respondent neither enquired the co-patient nor the worker of the rehabilitation center. Hence the present Criminal Original Petition.



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5. The death of the petitioner's brother in a re-habilitation center is not disputed. A perusal of the post mortem certificate, would clearly indicate that hyoid bone, throid cartilage, cricoid cartilage are intact and no foreign bodies were seen on the body. In such a view of the matter, this Court is of the considered view that mere suspicion of the petitioner is not a ground to transfer the investigation from the file of the third respondent to CB CID. It is for the Police to investigate and file a report either positive or negative, as the case may be, as per law, as expeditiously as possible.

6. With the above observation and direction, this Criminal Original Petition is closed.

30/6/2022

mvs.

Index: Yes/No

Internet: Yes

Speaking/Non-speaking order



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To



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N. SATHISH KUMAR, J

mvs.

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Villupuram District
Villupuram.
2. The Deputy Superintendent of Police
Villupuram District
Villupuram.
3. The Inspector of Police
Valavanur Police Station
Valavanur Taluk
Villupuram District.
4. The Public Prosecutor, High Court, Madras.

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