



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.25045 of 2021

Lalitha

... Petitioner

Versus

1.The Superintendent of Police,
Kallakurichi District.

2.The Inspector of Police,
Kallakurichi,
Crime No.454 of 2021.

... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation with respect of the Crime No.454 of 2021 pending on the file of the 2nd respondent to any other investigating agency and consequently direct them to proceed with the investigation.

For Petitioner : Ms.V.Revathi

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

The petitioner wife of deceased Sivabalan has filed this petition seeking transfer of investigation in Crime No.454 of 2021.

2.The contention of the learned counsel for the petitioner is that FIR was registered on 07.04.2021 under Section 174 Cr.P.C. Thereafter, till date the case is kept pending and no progress has taken place. The petitioner makes specific allegation that one Boopathi is the reason for the death of her husband Sivabalan and the said Boopathi was having illicit relationship with her husband, harassing him and also swindling the hard earned money of her husband. Though the petitioner produced the Video voice call showing the involvement of the said Boopathi to the respondent police and also sent a



representation to Superintendent of Police and to the Collector, no action has been taken.

3.The learned Additional Public Prosecutor submits that the said Boopathi lodged a complaint informing that she is working as Assistant Inspector in the Kallakurichi Panchayat. In course of employment, she had come in contact with Sivabalan, P.A. to the Collector. He used to share his sufferings at the hands of the petitioner and others. Further, he had some loan issues. For this reason, taking pity, to pacify him, she used to talk to him and give comfort, which is now wrongly projected as illegal relationship and reason for the said Sivabalan suicide. He further submitted that during investigation, the role of the said Boopathi was confirmed and now, she is made an accused. Now, the case is altered to Section 306 IPC.

4.In view of the same, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Superintendent of Police,
Kallakurichi District.

2.The Inspector of Police,
Kallakurichi,
Crime No.454 of 2021

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.25045 of 2021

NK(CO)
GN(24/02/2022)