



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.4067 of 2022

Packiyarani

...Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to directing the 1st respondent to transfer the investigation from the 2nd respondent in Crime No.17/2022 dated 14.01.2022 on the file of the 2nd respondent police earlier to any other Agency or any other Competent officer.

For Petitioner : Mr G.Aravinthan

For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the 1st respondent to transfer the investigation from the 2nd respondent in Crime No.17/2022 dated 14.01.2022 on the file of the 2nd respondent police earlier to any other Agency or any other Competent officer.

2. The case of the petitioner is that her son aged about 21 years fell in love with one Prathisha. When her parents opposed their love the petitioner compelled her to marry another person, hence they eloped and were living separately. In fact the father of the girl had lodged a complaint and the same has been registered in Crime No.19 of 2019 for the offence under Section 366 of IPC. In pursuance to the said crime the petitioner's son was arrested and remanded to judicial custody. After some time, he died. In pursuance to the said occurrence, the second respondent registered a case in Crime No.17 of 2022 for the offence under Section 174 Cr.P.C. dated 14.01.2022 and the same is still pending. Pending investigation the petitioner had sent a representation suspecting three accused person for suicide.



3. The learned Additional Public Prosecutor would submit that the investigation is still pending and so far they have examined 13 witnesses.

4. At this juncture, if the investigation is transferred to any other agency, it will affect the entire investigation. Hence the Criminal Original Petition stands dismissed. However, the second respondent is directed to consider the representation submitted by the petitioner, conduct detailed investigation and file a final report within a period of 12 weeks from the date of receipt of a copy of this order. The first respondent is directed to monitor the investigation done by the second respondent and ensure that the second respondent is complying with the directions issued by this Court.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-9958[F] dated 04/03/2022)

ORDER MADE IN
Cr1.O.P. (MD) No.4067 of 2022
02.03.2022

PKP/12.03.2022/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>