



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.12838 of 2020

L.Kalidoss

....Petitioner

Vs

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Rameswaram. Ramanathapuram District.

3.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
(Crime No.190 of 2020)

4.The Inspector of Police,
CBCID,
Ramanathapuram District.

....Respondents

PRAYER :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent herein to transfer the investigation in Crime No.190 of 2020 from the third respondent to any other investigating agency more fully fourth respondent/CBCID herein and to file a final report before the concerned court.

For Petitioner : M/s.J.Vishna

For Respondent : Mr.B.Thanga Aravindh,
Govt. Advocate.(Criminal Side)
for R1 to R4.

ORDER

This Criminal Original Petition has been filed to direct the first respondent herein to transfer the investigation in Crime No.190 of 2020 from the third respondent to any other investigating agency more fully fourth respondent/CBCID herein and to file a final report before the concerned court.

2.The learned Government Advocate (Criminal Side) appearing for the respondents filed the status report of the third respondent. Perusal of status report reveals from the initial investigation reveals that the deceased was the close relative of the petitioner.



3.The case of the petitioner is that on 14.08.2020, at about 7.00PM, his father was engaged for dredging a well by one Ramar, who is a relative of the petitioner. On the same day, at about 7.30AM, the said Ramar called the petitioner's mother over phone and informed that during the course of the work, the father of the petitioner slipped inside the well and sustained grievous injuries on his head. Due to the injuries, the father of the petitioner declared dead.

4.On receipt of the complaint, the third respondent registered a case in Crime No.190 of 2020, under Section 174 Cr.P.C. Further the status report reveals that the Ramar was the close relative of the petitioner. There was no motive between the two families. Statement of witnesses also not support the case of the petitioner and awaiting for the chemical report from the Forensic Science Laboratory.

5.Under these circumstances, change of investigation would not serve any purpose, since the third respondent almost completed his investigation and about to file the final report in this case.

6.In view of the above, this Criminal Original Petition stands dismissed. However, the third respondent is directed to file a final report, within a period of four weeks, from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,

<https://hcservices.reports.gov.in/hcservices/> Ramanathapuram District.



3.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

4.The Inspector of Police,
CBCID, Ramanathapuram District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) . No.12838 of 2020

Date : 31/03/2022

nsn(CO)
TR(11.04.2022) 3P 6C