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CrI.OP.No.10038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.OP.No.10038 of 2023

A.Palraj

... Petitioner

Vs.

**1. The Superintendent of Police,
O/o. Superintendent of Office,
Salem District.**

**2. The Inspector of Police,
Kariyakoil Police Station,
Salem District.**

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the first respondent to transfer the investigation from the second respondent police to some other police station who is competent to investigate the same in FIR.No.12/2003 pending on the file of the second respondent police.

For Petitioner : Mr.J.Rajmohan

**For Respondents : Mr.S.Udaya Kumar,
Government Advocate(CrI.Side)**



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ORDER

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The petition for transfer of investigation from the local police to some other agency, duly competent to investigate the suspicious death of the petitioner's wife.

2. According to the petitioner, his wife was subjected to sexual torture by one Thirupathi, when he was about to give complaint, his wife prevented him from giving complaint. However, on 18.01.2023 at about 6.30 a.m., her body was found hanging in the Mango tree using the saree which belongs to the mother of one Ashok who is none other than close friend of Thirupathi.

3. The learned counsel appearing for the petitioner submitted that initially the respondent police was suspecting the petitioner himself for dowry harassment, but, RDO enquiry proved otherwise to prove that he is an innocent. Thereafter, they had been proceed further for the cause of death. It was not natural death.



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4. The learned Government Advocate (CrI.Side) submitted that the postmortem certificate been received and the Doctor's opinion is awaited.

5. This Court on perusing the C.D file find that postmortem report was received on 19.01.2023 atleast ten months ago which says that her hyoid bone intact and incision wounds seen all over the body. The Investigating Officer had been investigating the matter for the past 11 months and not completed the investigation even after receiving the postmortem report on 19.01.2023.

6. He has not investigating the case properly and hence it is a fit case to transfer to some other competent police officials who can conduct the investigation properly in accordance with law.

7. Hence, the Superintendent of Police, Salem District is directed to take note of this Order, perused the file and take, necessary action against the Investigating Officer who was not conducted the investigation properly and also transfer the investigation to some other police officer who will be competent to properly investigate the case and complete the investigation within the period of 60 days from the date of receipt of a



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copy of this order.

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6. With the above directions, this Criminal Original Petition is disposed of.

Vv

20.11.2023

To

1. The Superintendent of Police,
O/o. Superintendent of Office,
Salem District.
2. The Inspector of Police,
Kariyakoil Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.



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