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Crl.O.P.No.21531 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 27.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21531 of 2022

Rajkumar

... Petitioner

Versus

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

2.The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.

3.The Inspector of Police,
CBCID, Cuddalore,
Cuddalore District.

... Respondents

PRAYER : Criminal Original petition filed under Section 482 Cr.P.C. praying to direct the first respondent to transfer the investigation in Crime No.1280 of 2020 pending on the file of Inspector of Police, Annamalai Nagar Police Station, the second respondent herein to the Inspector of Police, CBCID, Cuddalore, the third respondent herein.

For Petitioner : Mr.R.Sankarasubbu



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For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the first respondent to transfer the investigation in Crime No.1280 of 2020 pending on the file of Inspector of Police, Annamalai Nagar Police Station to the Inspector of Police, CBCID, Cuddalore.

2. The grievance of the petitioner is that the petitioner lodged a complaint for the death of his son. Though F.I.R. in Crime No.1280 of 2020 for an offence under Section 174 Cr.P.C. was registered on 16.11.2022, the case is pending without any investigation to find out the reason for cause of death of his son. In this regard, the petitioner sent a representation to the Superintendent of Police, Cuddalore on 27.04.2022, thereafter too, no action has been taken. Hence, the petitioner filed the above petition.



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3. Learned counsel for the petitioner submitted that the petitioner's specific complaint is that in the Shrimp Farm of one Latha unauthorised Electric Motor was fixed without proper insulation and care, which led to electrocution and caused death of petitioner's son. The police has not so far seized the electric motor (7.5 horse power) and also not conducted investigation to fix the reason for electrocution, despite the petitioner giving details about the same.

4. Learned Additional Public Prosecutor submits that on the complaint of the petitioner investigation conducted. After investigation, the case has been altered into Section 304(A) of I.P.C. against the accused Latha and she obtained bail in this case. The respondent police visited the scene of occurrence and the investigation is yet to gain momentum. He further submits that he instructed the investigation officer to conduct proper investigation, visit scene of occurrence, seize articles, if required and prepare observation mahazar, enquire the witnesses and complete the investigation. If the



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investigation discloses more serious offence, appropriate steps to be taken to alter the section and to file a final report in this case. He further submitted that the petitioner would be called again for enquiry and his statement would be recorded.

5. Recording the above said submission, this Criminal Original Petition is disposed of.

27.06.2023

Index : Yes / No
Internet : Yes/No
Speaking / Non-speaking order
rsi



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To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.
- 3.The Inspector of Police,
CBCID, Cuddalore,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

rsi

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