



Crl.O.P.No.18482 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18482 of 2023

Latha

.. Petitioner

Versus

The state rep by

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

**2. The Inspector of Police,
Pennadam Police Station,
Ariyalur District.**

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation pending on the file of 2nd respondent in Crime No.539 of 2022 to CBCID or other competent investigation agency pursuant to the petitioner's representation, dated 21.07.2023.

For Petitioner : Mr.R.Thirumoorthy

**For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor**



WEB COPY



Crl.O.P.No.18482 of 2023

ORDER

This petition has been filed seeking for transfer of investigation pending on the file of the second respondent in Crime No.539 of 2022.

2. The learned Additional Public Prosecutor, on instructions, submitted that initially, the F.I.R was registered under Section 174 of Cr.P.C., and subsequently, it has been altered to offences under Sections 498A and 304B of I.P.C. The learned Additional Public Prosecutor further submitted that the draft Final Report is also ready and that the same will be filed before the concerned jurisdictional Court shortly. The copy of the same was also placed before this Court.

3. The learned Counsel for the petitioner submitted that the stridhana articles that were given to the daughter of the petitioner are retained by the accused persons and till date, the Police have not taken any steps to get back the stridhana articles. The learned Counsel submitted that petitioner's daughter was subjected to cruelty which resulted in her death and even thereafter, the stridhana articles have been retained by the accused persons.



Crl.O.P.No.18482 of 2023

WEB COPY

4. In the considered view of this Court, the respondent Police, in the course of investigation, can always call the accused persons for enquiry and ask them to hand over the stridhana articles belonging to the deceased daughter of the petitioner which were given to her at the time of marriage. The accused persons do not have any right to retain the stridhana articles. This shall be kept in mind by the respondent Police and they shall act upon this direction in accordance with law.

5. This Criminal Original Petition is disposed off.

16.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Superintendent of Police,
O/o Superintendent of Police,
Ariyalur District.
2. The Inspector of Police,
Pennadam Police Station,
Ariyalur District.
3. The Public Prosecutor,



High Court of Madras.

WEB COPY



Crl.O.P.No.18482 of 2023



WEB COPY



Crl.O.P.No.18482 of 2023

N.ANAND VENKATESH, J.
grs

Crl.O.P.No.18482 of 2023

16.08.2023