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Crl.O.P.No.25438 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25438 of 2023

Riya Jha

... Petitioner

Vs.

The State Rep.by
The Inspector of Police,
T-16, Semmenchery Police Station,
Pallikaranai,
Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to transfer the investigation pending in Crime No.150 of 2023 on the file of the respondent, the Inspector of Police, T-16, Semmenchery Police Station, Pallikaranai, and transfer the same to CBCID Crime Branch CID or any competent agency.

For Petitioner : Mr.S.Maruthi Raj

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner herein is the sister of one Kajal Jha who was married to one Gaurav Kumar and residing in a high raised building at 5th floor. On 22.06.2023, the said Kajal Jha was reportedly fell down from the 5th floor



and died. Initially the police has registered the case under Section 174(3) of Cr.P.C., later altered to Section 306 IPC. Since the petitioner herein apprehending that the investigation is not going in the right direction, seeks for transfer of investigation. The reason for suspicion is three fold, the delay in registering the FIR, CCTV footage has not been properly collected, the father and the sister [petitioner herein] were not examined.

2. The learned Government Advocate (CrI.Side) appearing for the State submits that the police received the information of the unnatural death of Kajal Jha and have taken cognizance of that immediately after receiving the information. The brother of the petitioner came down from Jharkhand and on his written complaint, FIR was registered. There was no delay in investigation and so far eight witnesses crucial for the case been examined and awaiting for RDO report. The petitioner need not apprehend of any lapse in the investigation, since the Investigating Officer has taken all the necessary steps to collect materials which could give lead to unravel the reason for the death of Kajal Jha.



3. On considering the rival submissions, this Court is of the view that since the petitioner and her family members as well as the victim and also the suspect all belong to North India and not conversion to the local language. Any senior officer conversant in Hindi may supervision the investigation and in the course of investigation, the petitioner and his father also be summoned and if found any valuable material information which will helpful for the investigation, same may be collected and the investigation can be proceeded in accordance with law.

4. With the above observation, this Criminal Original Petition is dismissed.

07.11.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl

To

1.The Inspector of Police,
T-16, Semmenchery Police Station,
Pallikaranai,
Chennai.

2.The Public Prosecutor,
High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN, J.

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