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Crl.O.P.No.25916 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25916 of 2023

M.Senthilkumari
Petitioner

...

Vs.

1. The State Rep. By,
The Superintendent of Police,
Railway Police,
No.8, Varadharajulu Street,
Elumbur, Chennai – 84.

2. State Rep. By,
The Inspector of Police,
Chengalpattu Railway Police Station,
JCK Nagar,
Hanumandhai,
Chengalpattu 603 002.

3. State rep. By,
The Inspector of Police,
C.B.C.I.D.
Chengalpattu,
Chengalpattu District.

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to transfer the investigation in Crime No.57 of 2022 pending on the file of the 2nd Respondent to 3rd respondent.



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For Petitioner : M/s.A.Joel Paul Antony

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

Petition is filed by the mother, who has lost her son in a Railway Accident. Prayer in this petition is to transfer the investigation to some other agency other than the 2nd respondent, which has investigated the case and filed closure report.

2. According to the learned counsel appearing for the petitioner, there was a dispute between the petitioner and her husband. Petitioner suspect that her son was done to death by her husband, who is none other than the father of the deceased. The reason to suspect appears to be some statement made by the father of the deceased long after the occurrence while he was in a drunken state.

3. The learned Government Advocate (Crl. Side) submitted that, the complaint of the petitioner was considered by the Investigating Officer, but it was not found to be correct and the post-mortem report correlates to the



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symptoms of rail accident.

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4. This Court on perusing the complaint given by the Station Master and the post-mortem report and other statements finds that, there is no reason to suspect the manner in which the investigation is conducted. The closure report indicates that, the deceased who has crossed the railway line to attend his nature call during the early hours of the day might have hit by electric train causing severe head injuries and died due to haemorrhage. Having completed the investigation and filed closure report, this Court is of the view that, there is no purpose in transferring the investigation since findings of the investigation and materials collected does not create any reasons to suspect the investigation.

5. Accordingly, this Criminal Original Petition is dismissed.

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Index : Yes/No
Neutral Citation : Yes/No
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Dr.G.JAYACHANDRAN,J.

Sma

To:

1. The State Rep. By,
The Superintendent of Police,
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Elumbur, Chennai – 84.
2. State Rep. By,
The Inspector of Police,
Chengalpattu Railway Police Station,
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Hanumandhai,
Chengalpattu 603 002.
3. State rep. By,
The Inspector of Police,
C.B.C.I.D.
Chengalpattu,
Chengalpattu District.
3. The Public Prosecutor,
Madras High Court.

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