



Crl.O.P.(MD)No.1736 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1736 of 2023

P.Isravel

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.

2.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.

3.The Inspector of Police,
Vellichanthai Police Station,
Vellichanthai,
Kanyakumari District.

4.Amaravathi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.161 of 2022 on the file of the third respondent to some other independent investigating agency.

For Petitioner : Mr.S.C.Herold Singh

For R1 to R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to transfer the investigation in Crime No.161 of 2022 on the file of the third respondent to some other independent investigating agency.

2. The case of the petitioner is that the petitioner's son Jegan Jose had committed suicide by hanging himself on 22.12.2022 leaving behind the suicide note and that the wife of the deceased, who is the defacto complainant, is the sole reason for committing suicide.

3. In pursuance of the direction of this Court, the Inspector of Police, Vellichanthai Police Station is present before this Court.

4. It is pertinent to note that though FIR was registered on 23.12.2022 in Crime No.161 of 2022 for the offence under Section 174 Cr.P.C., the case is yet to be altered.



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5. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the petitioner/father of the deceased has produced only a copy of the suicide note.

6. The learned counsel appearing for the petitioner would submit that the petitioner is possessing the original suicide note and since the third respondent has refused to give an acknowledgement and the fourth respondent/wife of the deceased is working as a Head Constable in Manavalakurichi Police Station, under the control of the circle inspector, the third respondent, he has not handed over the original suicide note to the third respondent.

7. Considering the above, the first respondent is directed to appoint any Inspector of Police under his jurisdiction other than the third respondent, to proceed with the investigation and the second respondent is directed to monitor the investigation. The petitioner is directed to hand over the original suicide note to the investigating officer to be appointed by the first respondent and on receipt of the same, he/she is directed to complete the exercise within a period of ten days from the date of receipt of the original suicide note.



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

01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.
- 2.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.
- 3.The Inspector of Police,
Vellichanthai Police Station,
Vellichanthai,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.1736 of 2023

Dated: 01.02.2023