



CrI.O.P.(MD)No.2302 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **19.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.2302 of 2023

and

CrI.M.P.(MD).No.2081 of 2023

M.Ravichandran

... Petitioner

Vs.

- 1.The Director General of Police,
Government of Tamil Nadu,
O/o. the Director General of Police,
Chennai.
- 2.The Deputy Superintendent of Police,
O/o, the Superintendent of Police, CBCID,
Madurai District, Madurai.
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul District, Dindigul.
- 4.The Inspector of Police
Natham Police Station,
Dindigul District, Dindigul.
(Crime No.308 of 2022)

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the fourth respondent to withdraw the case in Crime No. 308 of 2022 under Section 174 (3) of Cr.P.C. on the file of the third respondent dated 07.09.2022 and entrust the same to respondent No.3 for investigation of the case by a competent Officer and file a final report



before the jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for Mr.S.Rajasekar

For Respondents : Mr.SS.Madhavan
Government Advocate (Criminal Side)

ORDER

This petition is filed seeking for transfer of investigation in Crime No.308 of 2020 for the offence under Section 174(3) of Cr.P.C. on the file of the second respondent dated 07.09.2022 and to entrust the same with respondent No.3.

2. The petitioner is a retired employee having a daughter and three sons. He has performed his daughter's marriage with one Chellyah @ Seeman / Accused No.1 by giving 64 sovereigns of Gold, one Maruthi Swift Dezire car and other seethana articles on 19.03.2018. After the marriage, the petitioner's son-in-law and other family members have demanded another car, alleging that Maruthi Swift car as a low budget car and when same was not accepted, the petitioner's daughter was harassed more ways than one. They were not spending money for the treatment of the petitioner's daughter, she was tortured by all the family members. Finally, on 07.09.2022, the petitioner's daughter has committed suicide.



3. It is submitted by learned counsel for the petitioner that the petitioner has found following burn injuries and wounds on the person of his daughter. The following injuries are found in the postmortem report:

External Injuries:

*1.Ligature mark 0.5 cm *1 cm over the left side of the neck region.*

2.Burn Injury >2% over the (L) breast region

3.Burn Injury >2% over the (L) forearm.

Internal Injuries:

1.Liver and Lungs are congested

2.Heart 150ml blood clot present

3.Stomach Yellowish substance present in the stomach,

Head

1.Shall no fracture.

2.Hematoma present over the (R) and (L) side of the subcutaneous region of the scalp.

4. It is submitted by learned counsel for the petitioner that the respondent Police have not done proper investigation and a case under 174 (3) of Cr.P.C. in Crime No.308 of 2022 was registered and the petitioner was asked to compromise with the accused, who will give back



the dowry and jewellery. The petitioner has given a detailed representation to the Police, but the accused persons have influenced Respondent No.4 and thereby, there was no progress in the investigation in a proper line. It is further submitted that the respondent Police have not considered the death of his daughter as a homicide committed by the accused persons, but, has treated it as suicide as respondent No.5 Police, have been doing the investigation under the influence of these accused persons.

5. Learned Government Advocate (Criminal Side), on the other hand, submits that after registration of the case on the death of the deceased under 174 (3) Cr.P.C, they made all efforts and they considered from all angles whether there is any possibility that the death of the deceased is on account of homicide. It is submitted further by learned Government Advocate (Criminal Side) that the Postmortem report has been received by the Police, wherein, Doctors have concluded that the death is on account of committed suicide by hanging. Learned counsel for the petitioner has submitted that apart from the ligature mark which causes normally in the case of death by hanging, there were two burn injuries as injuries Nos.2 and 3, which were caused 24 hours to 7 hours prior to the postmortem. However, injury No.3 is a head injury, which is caused about 12 to 24 hours prior to the postmortem. According to the



petitioner, if at all, the deceased died only on account of hanging, there should not have been head injuries, at the same time, when petitioner's daughter has allegedly committed suicide by hanging.

6. It is submitted by learned Government Advocate (Criminal Side) that the majority of the investigation has already been completed.

7. After hearing of both sides and on perusal of the charge sheet and postmortem report, it is clear that the Police investigation *prima facie* is going not on abnormal lines. However, since the petitioner's daughter is no more, allegedly on account of the accused persons, since one head injury is also received by the deceased almost at the same time, when she harassed to have been committed suicide, this Court is of the opinion that the Superintendent of Police, Dindigul District, can be directed to go through the entire investigation done so far including the postmortem report and answers given by the medical experts to the questions put up by the Police and take a decision as to whether in case, if any further investigation is required, to direct further investigation by his subordinates under his control and in case, the Superintendent of Police satisfies that the investigation is done properly,



Crl.O.P.(MD)No.2302 of 2023

then he can direct the concerned Police to file the charge sheet before the concerned Court.

8. With these observations, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

19.07.2023

NCC: Yes/No

Index : Yes/No

Internet : Yes/No

tsg

To

- 1.The Director General of Police,
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O/o. the Director General of Police,
Chennai.
- 2.The Deputy Superintendent of Police,
O/o, the Superintendent of Police, CBCID,
Madurai District, Madurai.
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul District, Dindigul.
- 4.The Inspector of Police
Natham Police Station,
Dindigul District, Dindigul.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.2302 of 2023

DR.D.NAGARJUN. J.

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Crl.O.P.(MD)No.2302 of 2023

19.07.2023