



Crl.O.P.(MD)No.7276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

**Crl.O.P.(MD) No.7276 of 2023**

Aasirvatham

...Petitioner

Vs.

1.The Superintendent of Police,  
Office of Superintendent of Police,  
Sivagangai District.

... 1<sup>st</sup> Respondent

2.The Deputy Superintendent of Police,  
District Crime Branch,  
Office of the Superintendent of Police,  
Sivagangai District.

... 2<sup>nd</sup> Respondent

3. The Inspector of Police,  
Karaikudi North Police Station,  
Karaikudi Town,  
Sivagangai District.

...3<sup>rd</sup> Respondent

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1<sup>st</sup> Respondent to transfer the investigation on the suspicious death of N.Jaya Prabhu, in FIR.No.375 of 2022 dated 02.12.2022 on the file of the 3<sup>rd</sup> Respondent to the 2<sup>nd</sup> Respondent and the 2<sup>nd</sup> Respondent to investigate further and file final report by considering the Petitioner's complaint dated 30.03.2023 within the time frame as fixed by this Court.



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For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.B.Nambiselvan  
Additional Public Prosecutor for R.1

### **ORDER**

This criminal original petition has been filed seeking direction to the 1<sup>st</sup> Respondent to transfer the investigation on the suspicious death of N.Jaya Prabhu, in FIR.No.375 of 2022 dated 02.12.2022 on the file of the 3<sup>rd</sup> Respondent to the 2<sup>nd</sup> Respondent and the 2<sup>nd</sup> Respondent to investigate further and file final report by considering the Petitioner's complaint dated 30.03.2023 within the time frame as fixed by this Court.

2.This petition has been filed on the suspicion over the investigation undertaken by the 3<sup>rd</sup> respondent. Since his son died, the petitioner has lodged a complaint before the 3<sup>rd</sup> respondent to find out the real truth. While so, he gave a statement before the 3<sup>rd</sup> respondent as if he has suspicion over the wife of the deceased. Since the same was not considered till now and no investigation was done in this way, this petition has been filed.

3.Earlier the Investigating Officer was directed to be present before this Court. In pursuance of the order that was passed by this Court



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on 06.06.2023, the Investigation Officer is present before this Court today. Now the said alteration report has been submitted before the concerned court altering the offence under Section 306 of IPC. Effort has been taken to secure the accused. He also sent request for Certification of CDR.

4.In view of the above said development, the transfer of investigation may not lie at this stage. Let the above said investigation be completed by the 3<sup>rd</sup> respondent within a period of **two months** from the date of receipt of a copy of this order and file the final report.

5.With the above said directions, this criminal original petition stands disposed of.

**23.06.2023**

NCC : Yes/No  
Index : Yes/No  
Internet : Yes/No  
TM

To

1.The Superintendent of Police,  
Office of Superintendent of Police,  
Sivagangai District.



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2. The Deputy Superintendent of Police,  
District Crime Branch,  
Office of the Superintendent of Police,  
Sivagangai District.

3. The Inspector of Police,  
Karaikudi North Police Station,  
Karaikudi Town,  
Sivagangai District.

4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGOVAN. J.**

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