



Crl.O.P(MD).No.8420 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

Crl.O.P(MD).No.8420 of 2023

S.Veerapoochaiyan

...Petitioner

Vs.

State represented by its:-

1.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Virudhunagar, Virudhunagar District.

3.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

In Crime No.239 of 2022.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to transfer the investigation in Crime No. 239/2023 from the 3rd respondent to any other competent officer of any other agency as may be fixed by the Court.

For Petitioner

: Mr.M.Subash Babu

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor



Crl.O.P(MD).No.8420 of 2023

ORDER

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This petitioner has filed the present petition to transfer the investigation in Crime No. 239/2023 from the 3rd respondent to any other competent officer of any other agency as may be fixed by the Court.

2.On the side of the petitioner it is stated that the petitioner's son died of poisoning and the Report of the Forensic Department clearly reveals that the deceased died due to some poisonous substances and how the investigation to be transferred to some other Investigating Agency.

3.On the side of the prosecution, it is stated that the Visera Report clearly reveals that there was no poison deducted in the body of the deceased. The deceased was affected by Jaundice and he was undergoing treatment. He was transferred to Stanley Medical College, Chennai, for better treatment. He died only due to Jaundice and the prosecution is likely to close the FIR as Mistake of Fact.

4.The Report of the Tutor, Department of Forensic Medicine, Government Stanley Medical College, Chennai and the Viscera Report are contradictory to each other. Hence, it is decided that the investigation is to be transferred to the file of Assistant Superintendent of Police. Accordingly, the



Crl.O.P(MD).No.8420 of 2023

investigation in Crime No.239 of 2023 on the file of the third respondent is transferred to the Assistant Superintendent of Police, Aruppukottai. The Assistant Superintendent of Police, Aruppukottai is hereby directed to investigate the matter in proper manner and to file a final report before the concerned Court, within a period of three months from the date of receipt of a copy of this order.

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

02.06.2023

Internet : Yes/No
Index : Yes/No
TM

To

- 1.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 3.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P(MD).No.8420 of 2023

R. THARANI,J.

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Crl.O.P(MD).No.8420 of 2023

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