



CrI.O.P.(MD) No.13390 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2023**

CORAM:

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

CrI.O.P.(MD) No.13390 of 2023

S.Arjunan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Thoothukudi Town Range, Priest Nagar,
Thoothukudi District.
- 3.The Inspector of Police,
Thenrmal Nagar Police Station,
Thoothukudi District
Crime No.41 of 2023
- 4.The Inspector of Police,
CBCID,
Thoothukudi District,
Thoothukudi.

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the investigation in Crime No.41 of 2023 dated 14.04.2023 on the file of the 3rd respondent police to 4th respondent to bring the truth in the matter related to the death of the petitioner's son, namely Kalaiselvan.

For Petitioner : M/s.M.Anbarasi
For Respondents : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to transfer the investigation in Crime No.41 of 2023 dated 14.04.2023 from the file of the respondent No.3 police to the file of the respondent No.4 police.

2.It is submitted by the learned counsel that the petitioner's son died by falling from the 2nd floor of a building, thereby the petitioner's father has filed a complaint and originally the case has been registered under Section 174 Cr.P.C., Subsequently, on receipt of the postmortem report, the petitioner and others have complained suspecting the death of the petitioner's son, but there was no progress in the investigation, thereby sought for transfer of the investigation.



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WEB COPY 3. The learned Government Advocate (Crl.side) on the other hand submits that subsequent to the postmortem report, the police have received chemical examination report and the final opinion stating that the death occurred due to multiple injuries and its complications and no poison was deducted. It is also submitted that basing on the final opinion, the police have filed the final report before the concerned Magistrate Court and closed the case.

4. Since the investigation has already been completed and the final report stated to have been filed before the concerned Magistrate Court, no further directions in respect of transfer of investigation can be given. Accordingly, this Petition is disposed of. However, if the petitioner has any grievance in respect of final report, he is at liberty to approach the concerned Court and initiate appropriate proceedings raising objections in respect of the final report filed by the police.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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- 4.The Inspector of Police,
CBCID,
Thoothukudi District,
Thoothukudi.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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