



Crl.O.P.(MD)No.19506 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 08/12/2023

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The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.19506 of 2023

P.Ponraman : Petitioner/De-facto
Complainant
Vs.

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

2.The Sub Inspector of Police,
Thirunagar Police Station,
Madurai.

(In Crime No.393 of 2023) : Respondent/Complainant

PRAYER:- Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to withdraw and transfer the investigation in Crime No.393 of 2023 on the file of the 2nd respondent to any other impartial investigation Agency and pass such any or other orders.

For Petitioner : M/s.T.Saroja
For Respondents : Mr.M.Sakthi Kumar
Government Advocate
(Criminal side)

O R D E R

This criminal original petition has been filed seeking transfer the investigation in Crime No.393 of 2023 on the file of the 2nd respondent to any other impartial investigation Agency.



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CrI.O.P.(MD)No.19506 of 2023

2. The facts in brief:-

The de-facto complainant stated in the complaint that he had three children and all were married and living separately. Among the sons, one Kaliraj was married to one Gayathri. They were living in Thirunagar in a rented house. Kaliraja was working in a company as driver. In the meantime, domestic issue arose between the husband and wife, since the wife is not attending work properly. Because of the issue, Gayathri used to go to her parental home and picked up quarrel, They used to make a compromise. Because of the attitude of the wife, his son was under depression and dejected mood. On 31/05/2023 at about 01.30 am, he was informed by another son namely Raja that Kaliraj committed suicide. They went to the spot and found the dead body.

3. On the basis of the complaint, a case in Crime No. 393 of 2023 was registered under section 174 Cr.P.C (Hanging). Investigation was undertaken and nothing was found suspicious, except it is a case of suicide over the domestic quarrel. But however the complainant entertain doubt regarding the cause of death. So he made another representation seeking proper enquiry stating that at the time of giving complaint, his signature was obtained in blank papers. Now he changed his version and stated that



bloodstains were found on the wall of the house where the deceased and his wife was living. On that account, he entertained doubt.

4.The learned Additional Public Prosecutor would submit that no internal injuries were found during postmortem. He has also produced the postmortem report, wherein we find that:-

"The following ante mortem injuries are noted on the body.

An incomplete transversely oblique ligature mark measuring 26cm x 2cm noted over front & upper most part of neck, right side, back of neck and leaving a gap of 14 cm noted over left side of neck.

The anatomical location of the ligature mark as follows:-

- 7 cm from right side mastoid
- 5 cm from left side mastoid
- 8 cm from centre of the chain."

Except the ligature mark, no other external injuries were found on the body. Regarding the cause of death, it is stated that opinions are pending for viscera report. The above said report is not at all received so far. But as stated above, no external injuries were found on the body of the deceased.



Crl.O.P.(MD)No.19506 of 2023

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5.The Investigating Officer also present before this court and enquiry was made with him, with regard to the bloodstains found on the wall of the house. But however, explanation was offered stating that bloodstains were due to some knife cutting, some one month prior to suicide. Even the explanation offered by the Investigating Officer as well as the wife of the deceased is not convincing, but except the bloodstains in the wall, no other suspicious circumstance available, considering the materials so far collected.

6.So the petitioner can wait for reasonable time for the completion of the investigation. During the course of the investigation, if any material or clue is available, the investigation may be taken in that direction. But however, there shall be a direction to the 2nd respondent to make thorough enquiry over the bloodstains found in the wall of the house.

7.With the above said direction, this criminal original petition stands **dismissed**.

08/12/2023

Index:Yes/No
Internet:Yes/No
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Crl.O.P.(MD)No.19506 of 2023

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To,

- 1.The Superintendent of Police,
Madurai District.
- 2.The Sub-Inspector of Police,
Thirunagar Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.19506 of 2023

G.ILANGOVAN, J

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CrI.OP (MD) No.19506 of 2023

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