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Crl.O.P.No.528 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.528 of 2024

Shanmugam

S/o.Periyasamy

... Petitioner

Vs.

1.State by: The Commissioner of Police,
Chennai City,
Veppery, Chennai - 600 007.

2.The Inspector of Police,
P-3 Vysarpadi Police Station,
Chennai.
Crime No.84 of 2023

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to transfer the investigation of the case in Crime No.84 of 2023 on the file of the second respondent to CBCID.

For Petitioner : Mr.P.Pugalenth

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor

ORDER

This petition has been filed seeking for transfer of investigation in Crime No.84 of 2023 pending on the file of the second respondent to any other investigating agency.



Crl.O.P.No.528 of 2024

WEB COPY

2. Heard Mr.P.Pugalenth, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents.

3. Learned Additional Public Prosecutor, on instructions, submitted that the First Information Report was registered in Crime No.84 of 2023 u/s.174 Cr.P.C. since the deceased died under suspicious circumstances. The body of the deceased was sent for postmortem and the postmortem was conducted at the Government Stanley Medical College and Hospital, Chennai. The postmortem report has given findings to the effect that there were no external injuries present anywhere on the body. The final opinion with regard to the cause of death was kept pending for want of chemical analysis of viscera. Thereafter, the viscera report was also received from the Forensic Sciences Department. The result of the viscera report was that alcohol or other poison was not detected in any of the vital organs. Considering the same, final report was given by the Assistant Professor, Department of Forensic Medicine, Government Stanley Medical College, Chennai, to the effect that death is due to respiratory insufficiency consequent upon pneumonic consolidation of both lungs - natural cause.



Crl.O.P.No.528 of 2024

WEB COPY

4. Learned Additional Public Prosecutor submitted that in the light of this opinion, a closure report will be filed before the concerned Court.

5. In the considered view of this Court, there is no ground made out for transfer of investigation in this case. This is more so since this Court has carefully gone through the medical records that have been placed before this Court. If ultimately after filing of the closure report, the petitioner is not satisfied, it is left open to the petitioner to work out his remedy before the concerned Court in accordance with law.

This Criminal Original Petition is disposed of in the above terms.

18.01.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

gm



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N.ANAND VENKATESH, J.

gm

To

1.The Commissioner of Police,
Chennai City,
Veppery, Chennai - 600 007.

2.The Inspector of Police,
P-3 Vysarpadi Police Station,
Chennai.
Crime No.84 of 2023

3.The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.528 of 2024

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