



WEB COPY



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.3073 of 2024

K.Murugan

Petitioner

vs.

1.The State by
The Superintendent of Police,
Villupuram District.

2.The Inspector of Police,
Valavanur Police Station,
Villupuram District.
Crime No.489 of 2023

3.The Inspector of Police,
Choolaimedu Police Station,
Chennai District.
Crime No.311 of 2023

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent No.1 to withdraw the case in Crime No.489 of 2022 pending on the file of the respondent No.2 police and transfer the same to investigate along with Crime No.311 of 2023 pending on the file of the respondent No.3 police before the appropriate Court.

For Petitioner : Mr.S.Bharanidharan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

**ORDER**

This criminal original petition has been filed to withdraw the investigation that is pending in Crime No.489 of 2022 on the file of the 2nd respondent and transfer the same to the file of the 3rd respondent to be investigated along with Crime No.311 of 2023.

2.The learned Additional Public Prosecutor on instructions submitted that in both the complaints, the parents of the deceased are the *defacto* complainants. Insofar as the Crime No.311 of 2023, that was a complaint given by the mother of the deceased immediately after the deceased consumed rat poison. This FIR was registered by the 3rd respondent. In the course of investigation, Investigation Officer has also recorded the statement of the deceased and the investigation was in progress. Unfortunately, the deceased died on 07.09.2023 early morning and the father of the deceased gave a complaint before the 2nd respondent and an FIR came to be registered in Crime No.489 of 2022 for offence under Sections 294(b), 354D and 506(i) of IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 1998.

3.Taking into consideration the facts and circumstances of the case and also of the fact that the subsequent FIR was only the consequence of the earlier incident that had taken place on 05.09.2023, it would be fit and proper to direct



both the FIRs to be clubbed and consolidated and investigated by the 3rd respondent. Hence, there shall be a direction to the 2nd respondent to send the Case Diary pertaining to Crime No.489 of 2022 to the file of the 3rd respondent. The 3rd respondent on receipt of the same, shall club the Crime No.489 of 2022 along with Crime No.311 of 2023 and the investigation shall be conducted in a single Crime Number viz., Crime No.311 of 2023. The 3rd respondent shall take note of the subsequent event and accordingly, alter the offences in Crime No.311 of 2023. The investigation shall be completed by the 3rd respondent, as expeditiously as possible.

4.This criminal original petition is disposed of with the above directions.

28.02.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr

To

1.The Superintendent of Police,
Villupuram District.



N. ANAND VENKATESH, J.

SSR

- 2.The Inspector of Police,
Valavanur Police Station,
Villupuram District.
- 3.The Inspector of Police,
Choolaimedu Police Station,
Chennai District.
- 4.The Public Prosecutor,
High Court, Madras.

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