



WEB COPY



WP.No.18337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WP.No.18337 of 2024
and
WMP.No.20144 of 2024

Mani

... Petitioner

Vs.

1. The Director General of Police,
Police Headquarters,
No.1, Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Superintendent of Police,
Office of Superintendent of Police,
District Police Officer, Near Collectorate,
Dharmapuri-636 705.
3. The Deputy Superintendent of Police,
Pennagaram Sub Division,
Office of the Deputy Superintendent of Police,
Hogenakkal Main Road,
Near Pennagaram Police Station,
Pennagaram-636 810.
4. The Inspector of Police,
Pennagaram Police Station,
Pennagaram,
Dharmapuri-636 810.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the 2nd respondent to transfer of investigation in Cr.No.102 of 2024, pending on the file of 4th respondent to a specially designated investigation officer not below the rank of Deputy Superintendent of Police, sensitized in Senior Citizen issues and to monitor and complete the investigation by filing a final report.

For Petitioner : Mr.P.G.Thiyagu

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

One Lakshmi was badly beaten by her drunkard son on 25.04.2024 which was admitted in the hospital. Later on, she died on 30.04.2024.

2. Initially, a case was registered under Section 174 of Cr.P.C and later altered into Section 304(ii) IPC. The brother of the deceased is before this Court stating that while the postmortem report and other evidence clearly shows that it was an intention murder with knowledge. The police ought to have altered the offence into Section 302 IPC rather 304(ii) IPC.



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3. Learned Government Advocate (Crl.Side) submits that the investigation is yet to be completed on collecting the other evidences and the opinion of Postmortem conducted Doctor, if necessary Section will be altered.

4. Recording the same, this Writ Petition is disposed of directing the Deputy Superintendent of Police, Dharmapuri to monitor the investigation and file final report under appropriate provision of law based on the evidence collected. No order as to costs. Consequently, the connected miscellaneous petition is closed.

09.07.2024

Vv

To

1. The Director General of Police,
Police Headquarters,
No.1, Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Superintendent of Police,
Office of Superintendent of Police,
District Police Officer, Near Collectorate,
Dharmapuri-636 705.



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3. The Deputy Superintendent of Police,
Pennagaram Sub Division,
Office of the Deputy Superintendent of Police,
Hogenakkal Main Road,
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4. The Inspector of Police,
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Dr.G.JAYACHANDRAN,J.

Vv

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