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CrI.O.P.No.18112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.18112 of 2024

C.Pachammal

... Petitioner

Vs.

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

2.The Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam,
Krishnagiri.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to transfer the investigation in Crime No.103 of 2024 pending on the file of the 2nd respondent to any other investigating agency.

For Petitioner : Mr.M.Mohamed Afridi

For Respondents : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition is filed to transfer the investigation in Crime No.103 of 2024 registered under Section 174 Cr.P.C., to some other agency to conduct investigation properly and file final report.



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2. The petitioner is the mother of the deceased Jayanthi. The said Jayanthi who got married on 17.07.2021 committed suicide on 26.02.2024 in the matrimonial home by hanging. Suspecting foul play in the death of her daughter, the petitioner is before this Court stating that though she is capable of signing, the police in order to help the culprit has altered the First Information Report by obtaining the finger print of the petitioner and also in spite of adequate evidence collected during the course of investigation that Jayanthi committed suicide due to dowry harassment, the charges has not been altered and the investigation proceeded.

3. The learned counsel appearing for the petitioner submits that the in-laws of the family are politically powerful in that area and therefore, the 2nd respondent police is siding them.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police submits that the Investigating Officer was awaiting for post-mortem report and enquiry report from the RDO and based on the opinion given by the post-mortem doctor and RDO report, necessary action will be taken by alltering the charges if necessary.



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5. This Court finds that the incident took place on 27.02.2024, the RDO has submitted his report on 03.06.2024 and even before that post-mortem report received by the Investigating Officer. Despite that till date he has neither altered the charges nor filed final report. This would clearly show his in action in conducting the investigation in accordance with law. The suspicion of the petitioner appears to be genuine and to dispel the suspicion, it is appropriate to transfer the investigation to some other Investigating Officer.

6. Considering the facts of this case, this Criminal Original Petition is allowed directing the Superintendent of Police, Krishnagiri to withdraw the investigation from the 2nd respondent and entrust it to the Deputy Superintendent of Police, Krishnagiri to conduct investigation under her supervision and file report in accordance with law.

31.07.2024

Neutral Citation : Yes/No
rpl

Dr.G.JAYACHANDRAN,J.

rpl

To



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

2.The Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam,
Krishnagiri.

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

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